

Richmond Planning Commission

Regular Meeting

February 6, 2013

Approved Minutes

Members Present: Mark Fausel (Chair), Lou Borie (Vice-Chair), Gary Bressor, Lauck Parke, Christy Witters

Members Absent: None

Others Present: Cathleen Gent (Town Planner/Staff to the DRB), Ellen Ward, Dan Noyes, Allison Anand

7:02 PM Call to order by the Chair.

Public Comment - There were no public comments.

Mail - Gent reviewed the mail.

Meeting Minutes & Town Planner Report

Meeting Minutes: For January 16, 2013

No amendments were offered. Motion by Borie, seconded by Bressor, to approve the minutes. Voting: 4 in favor (Fausel, Borie, Bressor, Witters); 0 opposed; 1 abstention (Parke).

Meeting Minutes: For January 30, 2013

No amendments were offered. Motion by Borie, seconded by Bressor, to approve the minutes. Voting: 5 in favor; 0 opposed; 0 abstentions.

Town Planner Report

Gent provided the following updates to the February 1, 2013 report:

- Richmond Route 2 bike/pedestrian study – Discussed the kick-off meeting and asked if any Planning Commission members would like to serve on the project steering committee. No Planning Commission members are available to serve at this time.

- SFY12 Ecosystem Restoration Grant – Gent noted that the Stormwater Master Planning Project Proposals Request for Proposals has been cancelled and Witters and Gent decided the project is not a good fit for Richmond; therefore, no application will be prepared. The Planning Commission briefly discussed the challenges with building a bio-retention pond behind the Town Center building and then went on to discuss the option of placing a pond at the end of Railroad Street. Witters said that, before moving forward with that project, it should be vetted with the community. Dan Noyes, one of the property owners on whose land the pond would be built said that there is a current problem with the culverts near the railroad, which leak quite a bit. If those cave in, water will disperse along Railroad Street. He added that the location of the proposed pond is right next to a small stream, which contains water from Browns Trace Road (and which goes through the culverts). He wondered how the pond would work with a stream running through. Noyes suggested that it would be good to have a camera to see the condition of the culverts and Witters said she would check with Agency of Natural Resources about the use of a camera for that purpose. Bressor added that there are areas outside of the village with stormwater problems which would benefit from stormwater discharge improvements.

- CCRPC FY2014 Unified Work Program – Gent said the project would be for a 20-year traffic study, but that a draft is not ready at this time. If the project moves forward, the application will be shared with the Planning Commission at the next meeting.

- VNRC Chittenden Uplands Forests, Wildlife, and Communities Steering Committee - The Planning Commission discussed a potential community visioning exercise to be done through the project. The Commission generally thought that, while the exercise is good to do, the timing might not work well in the short term because of the zoning and subdivision bylaws work.

Richmond Zoning Regulations

Creamery Parcel

Ellen Ward said that the draft Village Mixed zoning district language is an example of what people said they didn't like with the proposed bylaws which were defeated. For instance, some of the purpose statements are subjective. The purpose section is also cumbersome and difficult to understand. Fausel replied that the purpose sections provide guiding principles for the DRB, which has to interpret the regulations for specific development applications.

1 Dan Noyes said that he has some interest in the creamery parcel and has talked with Craig Caswell
2 and David Raphael, although he has a different idea as to how to proceed with developing the parcel.
3 He would like more commercial than residential. He asked the Planning Commission how much
4 commercial activity the bylaws would allow and the Commission clarified that there is no maximum
5 amount of commercial – it could be 100% in either the current or the proposed bylaws. It's the amount
6 of residential that is restricted. Noyes also asked whether there are any requirements for a certain
7 "look." Gent said there are no design review criteria in either the current or the Village Mixed section
8 which is being changed at this time. There are design review standards for commercial buildings
9 greater than 3,000 square feet in the proposed bylaws that were defeated. Noyes asked about whether
10 the bylaws restrict the use of the land in the floodplain when calculating density and what can be built in
11 the floodplain. Bressor said that buildings aren't allowed but that parking can be placed in the floodplain
12 and pointed out that whatever is built in the floodplain counts toward the lot coverage calculations.
13 Noyes said additional parking in the floodplain could help meet the village parking problem and that the
14 owner could deed the floodplain to the town for additional parking.
15

16 Noyes and the Planning Commission discussed the two story height requirement in the proposed
17 Village Commercial zoning district. Noyes said that upstairs residential above commercial is not viewed
18 favorably, although he could make it work. He added that a company like Kinney Drug would not want
19 to come with a requirement for a two-story building. Noyes said that, if there is a demand for it, an office
20 use on the second floor would work.
21

22 Noyes said he does not think the current plan with 18,000 square feet for commercial with 15 units of
23 residential works in terms of breaking even financially, but noted the quickest way to develop the parcel
24 is with residential. Fausel provided a history of working with the current owner on the bylaws and that a
25 senior center is part of the development plan. Noyes said it is important to him to know there is flexibility
26 with the bylaws and is concerned that he be able to have a location sign similar to what is located on
27 Railroad Street.
28

29 The Planning Commission and Noyes discussed the question of whether density calculations are
30 reduced by the floodplain. For non-residential (commercial) uses, only the lot coverage is used. The lot
31 coverage would increase from 50% to 80% with the new bylaws. Bressor pointed out that Section 3.5.2
32 of the current bylaws allows for dwelling unit as part of a Planned Unit Development For residential
33 dwelling units, Section 5.12.2.f) states that the total number of allowable dwelling units cannot exceed
34 the number that could be permitted if the land were subdivided into lots in conformance with the
35 particular zoning district.
36

37 Anand asked about wetlands and Borie indicated the state controls what can be developed in and near
38 wetlands. Ward asked about the approval process and whether the Selectboard can approve the short-
39 term changes. Fausel explained the process and said the Selectboard can approve without a public
40 vote, unless a petition for a vote is presented.
41

42 Noyes said he thinks he could develop the parcel within the current bylaws, although reiterated he
43 would be looking for some flexibility in terms of the signs and the possible use of the town center for
44 access or a bus stop. Fausel asked Noyes to review the current and draft bylaws in terms of whether
45 what he is looking to do is included in the list of uses and to come back to the Planning Commission
46 with any concerns.
47

48 Noyes and Anand left the meeting at 8:50 PM.
49

50 Parke asked that the Planning Commission discuss again the parking provisions in the central business
51 block, which was discussed during the last meeting. He said it does not make sense to include TD
52 Bank in the area with reduced parking requirements and to exclude the dentists office and the NOFA
53 office. He suggested that the change in parking requirements extend from Main Street to the railroad
54 tracks, adding that the current delineation seems inconsistent and that he could not explain the
55 rationale to people. Bressor said that the primary problem area is the Bender block and he would
56 support limiting the parking change to that block only. Fausel said he does not want to change that
57 section again and wants a document ready for public airing as soon as possible. The Planning
58 Commission decided not to change the boundaries of the central business block for the parking
59 changes.

1
2 Fausel said he still wants to hold a public information session on March 6th to get public comments. He
3 said that Selectboard member Amy Lord has suggested that the changes to the village mixed section
4 and parking in the central business block be brought forward first and not proceed with the changes to
5 Section 6.8 (Flood Hazard Overlay District) in case those are controversial. The Planning Commission
6 proposed the idea of holding two separate public hearings right next to each other on the same night.
7 Gent will talk with Town Attorney Mark Sperry about that idea. Fausel asked Gent to post the draft
8 changes to Section 6.8 to the web site as soon as possible. Fausel proposed the following schedule:
9 March 6 – public information session; March 20 – Planning Commission make final edits; April 17 -
10 hearing for zoning changes; then send this to the Selectboard. This schedule assumes the Planning
11 Commission will finish its review of all the sections on February 20th.

12
13
14 **Zoning Administrative Officer hiring recommendation**
15 The Planning Commission reviewed the application materials for Neil Leitner. In keeping with Title 24,
16 Chapter 117, Section 4448, a motion was offered by Borie, seconded by Witters, as follows: The
17 Planning Commission nominates Neil B. Leitner for appointment by the Richmond Selectboard to a
18 three-year term as Richmond Zoning Administrative Officer. Voting: 3 in favor (Fausel, Borie, Witters); 0
19 opposed; 2 abstentions (Bressor, Parke).

20
21
22 **Adjournment**
23 Bressor made a motion to adjourn, seconded by Witters. So voted. The meeting adjourned at 9:40 PM.

24
25
26 Respectfully submitted by Cathleen Gent, Town Planner/Staff to the DRB