

Richmond Planning Commission

Regular Meeting

March 20, 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), Marshall Paulsen, Don Morin, Ed Wells, Peter Earle, Maureen Kangley, Ellen Ward, GC Morris, Jennifer Poehlmann, Paul Hauf

7:00 PM Call to order by the Chair.

Public Comment - Maureen Kangley said that some of her land abuts Gary Bressor's land on Thompson Road and wanted to know when the neighborhood where she lives will be discussed by the Planning Commission. Fausel said that he is not aware of any zoning changes going on in that neighborhood. Bressor added that the Planning Commission is mainly working on changes to the floodplain section of the bylaws and that the Planning Commission will get back to working on the major zoning bylaw changes soon. Kangley asked if there will be an announcement when the Planning Commission takes on that work and Fausel responded that there will be detailed public announcements.

As discussed at the last meeting, Bressor reminded the Planning Commission that he does not plan to stay on the Planning Commission and announced that this is his last meeting. He added that he has been on the Planning Commission for 7.5 years and has worked with some really great people. Fausel said he has always appreciated Bressor's perspective. Borie thanked Bressor for all of his service on the Planning Commission.

Mail - Gent reviewed the mail.

Meeting Minutes & Town Planner Report

Meeting Minutes: For February 20, 2013 – Two amendments were offered: Motion by Witters, seconded by Bressor, to approve the minutes as amended. Voting: 3 in favor (Fausel, Parke, and Witters); 0 opposed; 2 abstentions (Borie and Bressor)

Meeting Minutes: For March 6, 2013 – One amendment was offered. Motion by Borie, seconded by Parke, to approve the minutes as amended. Voting: 4 in favor (Fausel, Borie, Bressor, Parke); 0 opposed; 1 abstention (Witters).

Town Planner Report – Gent provided a brief update to the report.

David Sunshine (DRB Chair) regarding acreage requirements for dwelling units in certain village zoning districts

Fausel announced to the group that DRB chair David Sunshine is not available for tonight's meeting. Gent provided an introduction to the issue. Don Morin addressed the Planning Commission, starting out with a question about how land development can occur in general on village lots, some of which are less than .1 acre in size. He then discussed the potential development for 112 East Main Street, on which he has a current option to buy, based on conditions. If Morin is not able to develop the lot in the way he envisions, the deal will probably not go through and the owner will fix up the single family house. Morin also said that Heidi Bormann had planned to attend the meeting to discuss her project idea, but that she could not come to tonight's meeting because of a death in the family. He added that Bormann has a barn in poor condition and that she would like to convert that into an apartment. Morin distributed a sheet based on a visual analysis showing that there is, on average, .133 acres per unit on East Main and about .132 acres per unit on West Main Street. He noted that the town plan encourages density and growth in the village area and promotes walking and reduced use of automobiles. Morin said he believes his project would meet the town plan objectives and that there are very few lots in town where one could place three units on the parcel, as it would require an acre of land. Morin said that he wants to see bylaws that encourage owners to upgrade their properties.

Bressor said that he thinks Morin's plan would go in the opposite direction from the proposed zoning bylaws. The Planning Commission had specifically allowed for a duplex and changed the accessory

1 dwelling requirements in support of keeping single family homes in the village. The proposed bylaws
2 also allowed for smaller lot sizes. With all those changes, the density in the village would increase.
3 Bressor said that he thinks adding more exemptions is harmful to the village and that there are already
4 a lot on investor-owned properties already. He said that he has seen many single family homes get
5 purchased and fixed up.

6
7 Morin responded that, with sewer and water rates going up, commercial structures including a quadplex
8 will help with the sewer and water rates. In addition, right now, the property is overtaxed for the
9 condition of the house. Morin said he is not looking to change the zoning, but only to give the
10 Development Review Board some latitude in reviewing applications such as his. Borie said that, when
11 the Planning Commission embarked on the major round of zoning changes several years ago, the
12 Planning Commission did a walking tour of properties in the village and looked at the average densities,
13 attempting to strike a balance to encourage single family homeownership plus, if the lot is large enough,
14 to allow for multi-family housing. He suggested that the Planning Commission should perhaps look at
15 this question again. Morin said that he thinks there is value to having apartments at the higher end of
16 the scale, with amenities for handicapped persons. Parke said that, based on the demographics, that
17 type of housing will be needed. He added that he doesn't think Main Street properties are being
18 upgraded and that it takes a sufficient income stream to fix up the houses on Main Street. He
19 referenced the 9-unit hotel on West Main Street and asked why someone would want to buy a single
20 family residence next to the hotel. Bressor pointed out that a neighbor did exactly that, suggesting there
21 is a market for single family residences. Fausel added that the hotel is a very high density residential
22 property and said there doesn't seem to be any motivation for the owner to improve the façade. GC
23 Morris said that he lives at 183 West Main Street and pointed out that two duplexes have been
24 converted to single family residences recently. He added that he thinks the hotel fits the landscape and
25 that the condition of the building's exterior should not be criteria for making changes to the zoning
26 bylaws.

27
28 Marshall Paulsen from Pleasant Street spoke next. He said he disagrees about the description of Main
29 Street as falling into disrepair. He said he thinks owners are committed and are putting in time and
30 resources to their properties. Paulsen spoke about Morin's proposed development. He said he is not
31 against rental properties and is passionate about there being mixed uses and vibrancy in the village.
32 However, he thinks rental units put this in jeopardy because tenants are not as committed to serving as
33 volunteers or being involved in local government. If there is a trend toward rental housing in Richmond,
34 Paulsen is concerned that troubles with noise, trash, higher school enrollment numbers, and disrespect
35 of properties might occur.

36
37 Jennifer Poehlmann from 25 Baker Street spoke next. She said she has grave concerns about the
38 potential type of land development being discussed tonight. She said she and her family love the village
39 and support the local businesses. She and her family bought an old house and have been slowly
40 repairing it. Poehlmann discussed the property at 24 Baker Street, which is owned by Heidi Bormann
41 but was owned previously by a landlord who was often not in the area. With the previous owner, bands
42 practiced there and parties were held regularly on the lawn. She noted that the Bormanns have been
43 wonderful landlords. Poehlmann said that, every time a house goes up for sale in the village, she
44 worries about who will purchase it. If there are too many non-resident investors, she said the village
45 may not remain a place that she wants to live in. Poehlmann said she has heard there is no interest
46 among landlords in making improvements because they get the rent levels that they want without
47 having to do more work, but said she does not think that zoning changes will lead to increased repairs
48 of buildings. She added that the biggest question to her is figuring out what we want as a town,
49 stressing that she thinks it's best to have the town populated by people who are invested and living in
50 the town. She said that it is important to know if that will change so that she and her family will sell. She
51 made that point to illustrate to the Planning Commission that they are really concerned.

52
53 Paul Hauf from Pleasant Street spoke next, saying that Don Morin and Heidi Bormann have done a
54 great job. He agrees with maximizing investments, but thinks there is a balanced ratio between single
55 family housing and rentals. He said he wants to see an emphasis on new single family housing and was
56 concerned with the apartments changed to an office use in the building at the end of Pleasant Street
57 because people leave offices and there is no activity at night. He added that, if exceptions are allowed,
58 he is concerned that more and more exceptions will be allowed. Fausel stated that the defeated

1 regulations emphasized owner-occupied holdings, increased lot coverage, and encouraged accessory
2 dwellings. Hauf acknowledged that the lack of affordable housing creates a tricky balance.

3
4 Morin said that he doesn't agree with Paulsen's views. He said that there can be renters in single family
5 residences. He added that an employee of Paulsen's lives in an apartment that Morin owns because
6 the employee can't afford to buy a house. Morin said that some of the buildings in Richmond are in such
7 poor repair that they would be shut down in Burlington. He pointed out that the town plan encourages
8 affordable housing. In Richmond, there is not a lot of affordable housing, yet there is great value in
9 offering affordable housing for young people who aren't buying houses because they want to be mobile.
10 He said he doesn't know the answer in terms of whether he will complete the purchase of the property
11 at 112 East Main Street.

12
13 Peter Earle from Tilden Avenue said he has lived in the same house for 42 years. He and his wife like
14 the neighborhood balance with older people and young families, which make it vibrant. He said he fears
15 the change will result in the village becoming a fish bowl of rental properties, with people outside of the
16 village – with their five acres - looking in. He said he thinks greater density will compromise the village.
17 He said the quality of residents living in the Bormann and Morin properties is outstanding, however, the
18 town needs to separate individuals from long-term risk because there is no guarantee that Morin and
19 Bormann will remain as landlords in the future.

20
21 Bressor said that, in analyzing buildings along Main Street, that a number of buildings are substantially
22 improved, primarily from single family owners. He said he believes it's the investor owned properties
23 that are slipping in improvements. Fausel said he is not sure when the Planning Commission will take
24 up this topic, as they are currently working on changes to the floodplain zoning. He added that changing
25 the density deserves greater scrutiny and that the Planning Commission will reach out to the community
26 in a much greater way. He encouraged people to attend the public outreach meetings. In response to a
27 question from Kangley, he discussed which elements in the zoning might be changed soon and the
28 outreach schedule. The discussion on this topic concluded at 8:12 PM.

29
30 **Richmond Zoning Regulations Revisions: Work Session**

31 *Section 3.5.5 – Parking Requirements for Central Business Block*

32 Fausel noted that the Planning Commission had postponed this discussion until after the town meeting
33 vote on the Depot Street parking lot took place. He said that, with that new parking, there may not be as
34 much pressure for removing the parking requirements on the upper block. Bressor said the primary
35 issue is that the public parking spaces in the upper business block keep getting "counted" toward the
36 parking space requirements by the DRB for site plan review applications. Witters suggested that it
37 makes sense to limit the change in the parking requirements to only the business block itself for
38 properties that don't have any parking on the premises. Borie suggested that the definition of the central
39 business block in the written proposal is confusing. Fausel asked if there may be a permit system based
40 on concerns that commuters or others will park in the new Depot Street lot. Gent said she did not
41 believe such a system is being considered right now and that any decisions of that kind will be taken up
42 by the Selectboard. Morris asked about the physical design and said he would not want to see a system
43 with islands such as what is in place at the Farr commercial complex. Borie confirmed that the change
44 in Section 3.5.5 is focused on buildings like the former beverage center or Toscano's with no parking in
45 front, where the parking requirements are almost impossible to meet. Gent explained that Section 6.1
46 allows the DRB to waive parking requirements and that the main problem area is the central block. The
47 Planning Commission discussed the exact dimensional area which should be covered by the waiver
48 from required parking spaces and indicated that, on the west side, the area includes the bicycle shop
49 and the Miscellany Mart. On the east side, the area includes the Greensea building and the Fath
50 (Toscano's) building. Fausel noted that there is consensus among the Planning Commission and that
51 the area will not include the bank, NOFA, or the dentist's office.

52
53 Bressor left the meeting at 8:50 PM. Members of the Planning Commission again thanked Bressor for
54 his work. Borie confirmed that he will stay on until this set of changes is complete and that then he
55 plans to resign.

1
2 *Section 5.7 – Directory Signs for Railroad Street and Jolina Court*

3 The Planning Commission did not make any changes to the proposed new language. Parke said that
4 he thinks the geographic area is too restrictive and acknowledged that the Planning Commission is
5 ready to move forward with the change for those two areas only.

6
7 *Section 7.2 - Definitions*

8 The DRB did not make any changes to the new definitions for driveway and directory sign and did not
9 make any changes to the current Accepted Agricultural Practice.

10
11 *Section 6.8 – Flood Hazard Overlay District*

12 The Planning Commission reviewed and approved the changes and questions posed during the last
13 meeting when this topic was discussed. The Planning Commission made the following changes:

14 - Section 6.8.6.c) – delete “complete” before “Zoning Permit application” at the end of the sentence.

15 - Section 6.8.9.h) change to “Maintenance or repairs to restore to the original design grade any
16 driveways, parking areas, culverts, stormwater drainage facilities, bridges, or retaining walls.”

17 - Section 6.8.9, final paragraph – delete the following: “When such exempt maintenance, repairs, and/or
18 replacement work occurs, the property owner must notify the Administrative Officer regarding the nature
19 of the work and the cost.”

20 - Section 6.8.15.e) – delete “iii. Permitted in accordance with the elevation and anchoring requirements
21 for “Manufactured homes” in o) below.”

22 - Section 6.8.16.a)i.2. – change to “Section 6.8.15.a)”

23
24 Fausel then confirmed that the Planning Commission will move forward with making changes to those
25 four sections of the Richmond Zoning Regulations. He noted and Gent confirmed that no one has
26 contacted the Planning Commission or staff regarding the need to pursue the changes to zoning for the
27 creamery parcel at this time.

28
29 The Planning Commission then discussed the time frame for a public information session, which will be
30 scheduled for April 17th. Public outreach will include a flyer to each household, Front Porch Forum
31 postings, bulletin boards, and the Times Ink. During the April 3rd Planning Commission meeting, the
32 board will review all the materials that will be sent out. Gent and Fausel will prepare a draft Power Point
33 presentation for the Planning Commission to review at the next meeting. Gent will prepare a clean copy
34 of all the changes for the Planning Commission to review at the next meeting.

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36
37 **Adjournment**

38 Parke made a motion to adjourn, seconded by Witters. So voted. The meeting adjourned at 9:50 PM.

39
40 Respectfully submitted by Cathleen Gent, Town Planner/Staff to the DRB