

Richmond Planning Commission

Regular Meeting

Wednesday, August 7, 2013

Approved Minutes

Members Present: Mark Fausel (Chair), Bruce LaBounty (Vice-Chair), Sean Foley, Marc Hughes, Brian Tellstone

Members Absent: Ann Cousins, Lauck Parke

Others Present: Cathleen Gent (Town Planner/Staff to the DRB), see attached list

7:03 PM Fausel called the meeting to order.

Public Comments – There were no public comments.

Administrative Items

Mail – Gent reviewed the mail.

Meeting Minutes: For July 17, 2013 – Fausel offered amendment to page 1, line 51 to add, “Fausel noted that this addition to the Planning Commission Rules of Procedure is not a reflection on the previous Planning Commission.” Motion by LaBounty, seconded by Tellstone, to approve the minutes as amended. Voting: 5 in favor; 0 opposed; 0 abstentions.

Updates to August 1, 2013 Staff Report – There were no updates to the Staff Report. Fausel noticed that the date for the floodplain presentation is September 4th, not September 3rd. Fausel also suggested it would be helpful for there to be more geographic information about the locations of parcels in the potential violations report. Gent said she will talk with Zoning Administrator Neal Leitner about that, but he is concerned that individuals not be identified in the table, as it is intended to provide general information only.

Planning Commission Rules of Procedure – Revised Rule 1 – The Planning Commission reviewed and approved the proposed language regarding the Town Ethics Policy.

Creamery Parcel

Anne O'Brien began the discussion, saying she represents the Senior Center Committee and the Richmond Economic Development Committee. She discussed the community pressures pertaining to the water and sewer rates crisis and that the creamery site represents an opportunity for development. O'Brien said that, as developers come in and see a brownfields cleanup is needed on the parcel, they walk away from pursuing development there due to the costs, including Dan Noyes. O'Brien and other Economic Development Committee members have been with Greater Burlington Industrial Corporation (GBIC) and Chittenden County Regional Planning Commission (CCRPC) to see if there is some other solution to the problem, perhaps following in the path that Hinesburg took. She introduced representatives from GBIC and CCRPC.

Frank Cioffi from GBIC spoke next, providing background about GBIC. He reviewed some information about the process in Hinesburg, noting that there was interim zoning to control what would happen with the re-development of the Saputo parcel. A group of leaders in Hinesburg worked on the interim zoning changes and found a private developer to develop the parcel. Cioffi then said he thinks the primary reason the Richmond creamery parcel has not been developed is because of the environmental and brownfields issues, including the wetlands/floodplain, with zoning that may not work for the commercial market. He added that the town of Richmond needs to decide what it wants to see for a re-adapted use of the parcel. The private sector is most likely going to be attracted to a mixed use with residential and commercial. Most developers want to do all residential, but the town might want some commercial, therefore, a mixed use approach might work best. Cioffi said that other towns have found a way to gain site control via grants to remediate the environmental problems, such as the CDBG or brownfields programs. Cioffi said that developers will want to use the entire parcel density even though they can't build on the wetlands/floodplain and Richmond needs to decide whether to include or exclude the wetlands/floodplain from the density calculation. There might also need to be taller height allowances and parking flexibility. He added that developers will follow architectural review regulations if it is viable economically and financially.

1 Regina Mahoney from CCRPC said CCRPC can help Richmond as the town figures out what type of
2 zoning is wanted. She said that some municipalities allow density calculations to include floodplains,
3 wetlands, etc. while other municipalities do not.
4

5 General discussion began. Bruce LaBounty asked what the water and sewer allocations are on the
6 property and how many allocations should be attached to the property. O'Brien said there has been
7 preliminary discussion but that she did not have information about the allocation numbers. LaBounty
8 then said he thinks the property price being asked for the property is inflated, which is why it won't sell.
9 He also said he is concerned that, if the town changes the zoning for the property, that the owner will
10 ask an even higher price. He added that the Planning Commission is not in the business of making
11 property owners rich when zoning changes are made, but the changes are meant to help the town. If
12 the property is priced out of the market, the Planning Commission cannot help with that problem.
13 O'Brien responded that her group is asking for changes for the town – for a senior center, for more
14 sewer and water usage, etc. and that no one will purchase the property now because it is blighted.
15 Cioffi said that, in Hinesburg, a private developer was ready to start the deal and the town decided what
16 they wanted to see happen. The interim zoning helped in that situation because the town was trying to
17 prevent something bad from happening. In Richmond, that is not the same scenario, because nothing
18 has happened on the parcel for years and because the current zoning doesn't have a lot of allowed
19 uses that make people nervous. Cioffi said that Hinesburg tried to get Saputo to donate the land, but
20 once a prospect was found and a vision existed, it wasn't necessary for Saputo to donate the land.
21 O'Brien said there will be a meeting of Richmond officials with GBIC and CCRPC with Hinesburg
22 officials to learn more about how Hinesburg went about dealing with the Saputo property.
23

24 Cara LaBouty asked what part of the zoning regulations is turning off developers. O'Brien said the
25 commercial-only orientation is a problem. Sean Foley asked for a list of the potential funding sources.
26 O'Brien said they could provide that. Jon Kart said he supported what Bruce LaBounty said, namely
27 Richmond should figure out what we want first. This might take several attempts, since the vision might
28 change, but there should be a plan put on paper first. Marc Hughes suggested the first step is to clean
29 up the site. O'Brien said that is challenging -- the development plan is linked with the environmental
30 remediation because some areas of the parcel can be capped (covered with buildings or parking, etc.).
31 Angela Cote said the owner should be involved in these discussions and that there are things that could
32 be done now to make it less of a blight and more marketable.
33

34 Bruce LaBounty asked about the timeline and O'Brien said there should be a multi-pronged approach,
35 for instance, dealing with the external pressures for new water and sewer users and getting revised
36 zoning bylaws from the Planning Commission which would allow for other things to begin happening on
37 the parcel. Gent noted that the Planning Commission included a mixed use zoning district in the
38 proposed bylaws that were defeated in November, following years of discussions with the owner. She
39 suggested that the group review the proposed Village Mixed zoning district as a place to start
40 discussions.
41

42 There was a brief discussion about the current owner and interim bylaws, which are adopted by the
43 Selectboard. Bruce LaBounty said he doesn't see a huge urgency, as this parcel has been sitting there
44 for years and encouraged O'Brien and others to be proactive and not reactive. Fausel noted that the
45 Planning Commission took a tremendous amount of public comment in coming up with the Village
46 Mixed zoning district in the proposed bylaws. Fausel asked for the group to bring recommendations to
47 the Planning Commission and the Selectboard, perhaps to clean up the property and not just approach
48 the problem through zoning. Catherine Coggio said that many people don't even know where the
49 creamery parcel is and getting public participation is important. Cara LaBounty said there is a
50 conservation easement across the property.
51

52 **ECOS Science To Action Project**

53 Gent provided a brief introduction to the Science to Action project. Kart first discussed a larger
54 Chittenden County project, and then mentioned a smaller four-town component that was pursued for
55 the ECOS grant. The ECOS project focuses on standards for natural resource planning: regulatory and
56 non-regulatory tools that towns can use and a natural resources inventory being conducted by
57 Arrowwood Environmental in Huntington. Kart said the inventory purpose is to find out what natural
58 resources are located in the four town area. That information can be used to strengthen the town plans.
59 Previous Planning Commissions held off on adding specific natural resource standards into Richmond

1 bylaws without doing the natural resources inventory. The project also includes technical support from
 2 Vermont Natural Resources Council (VNRC) and from the Fish and Wildlife department staff.
 3 Arrowwood began the inventory in January and will produce preliminary maps in November. Kart said
 4 that VNRC and Fish & Wildlife want to meet with planning commissions in the four towns (Richmond,
 5 Jericho, Huntington, Bolton). The purpose of those sessions will be to find out what the priorities are for
 6 natural resources within the town plan, bylaws, etc. Kart explained that the sessions will also help towns
 7 understand better the state oversight (Agency of Natural Resources, Act 250, etc.) and the town
 8 regulations. Kart said this project is designed to help landowners of large parcels as well. A number of
 9 workshops have been or will be held. Don Morin said there are deeryards that have moved over time
 10 and Kart agreed the deer wintering area maps need to be updated, which this project will help.

11
 12 The Planning Commission agreed to meet with VNRC for an hour during the September 18th meeting
 13 and asked for a checklist of questions to think about before the meeting and a list of the inventory
 14 elements (types of information). Kart said he will provide that information by the next meeting for the
 15 Planning Commission to review.

16
 17
 18 **Annual Work Plan Session** –

19 Fausel began the discussion by talking about the general decisions that the Planning Commission will
 20 be making in terms of the work focus for the next year, whether to push certain sections of the zoning
 21 bylaws at a faster pace, to go back to the town plan, to look at the proposed bylaws that were defeated.

22
 23 David Furney spoke first about the Cochran Ski Area, based on a previously submitted letter. He said
 24 he is a long-term member of the Cochran Ski Area. He said that the Cochran Family LLC (which owns
 25 the land) and the Cochran Ski Area are going to the DRB for a conditional use approval as an interim
 26 step to expand beyond ski season activities, but that they would like to see a change in the zoning
 27 district. Furney handed out a map, showing the area that they would like to see in the zoning district,
 28 approximately 50 acres. He said that in Manchester, VT, there is a multipurpose recreational zoning
 29 district that might be appropriate for Cochrans. LaBounty asked if Cochrans could come back to the
 30 Planning Commission with something specific related to what they want to do that can't be done within
 31 the current bylaws. Furney said Cochrans is looking for some open-ended parameters for what they can
 32 do within a multi-use district. The parking and hours of operation provide constraints for what they can
 33 do. Cara LaBounty asked if wedding receptions are a fund-raising use and said that a commercial entity
 34 has difficulty competing with a nonprofit in terms of prices. She suggested that the bylaws should define
 35 fundraising uses. There was a brief discussion about public-private partnerships and the tariff for Green
 36 Mountain Power that Cochran's received several years ago, which allows them to get cheaper power.
 37 Furney said the goal is to provide recreational activities, for example, after school ski programs.

38
 39 Cara LaBounty said to that the Listers office is updating the tax maps and is working with Planning and
 40 Zoning department. She asked the Planning Commission to let her know if they found any corrections
 41 to the tax map.

42
 43 Don Morin spoke next. He said he bought a property on Main Street a couple months ago and that the
 44 restriction in the current bylaws for a dwelling unit per .3 acres is an issue. The town plan talks about a
 45 higher density in the village, but this provision prevents that. He knows some people want to keep the
 46 town the same way it's been, but the situation in Richmond right now is difficult for building owners.
 47 Morin provided examples of businesses that have had or are having difficulty because of the zoning
 48 regulations or other issues such as the sewer and water rates. He concluded that Richmond needs
 49 more density, which should be allowed in instances where the owners can provide parking and meet
 50 the setbacks. David Furney added that there have been problems with traffic and parking in Richmond
 51 since the 1970s and there is no easy solution. There was discussion about opening up the Gateway
 52 district for more commercial development.

53
 54 Jackie Washburn said that Richmond doesn't have a vision or big picture of what we want. She said the
 55 grocery store is a great addition, but that it doesn't belong on Railroad Street because it has changed
 56 the quality of life for everyone along the street. At the same time, projects by Dan Noyes and Justin
 57 Willis on Railroad Street have been good additions. The issue is that there is no shared vision of what
 58 Richmond wants, unlike what Hinesburg did. She said that real estate professionals say that Richmond
 59 village is an eyesore in a lot of respects.

1
2 Jon Kart pointed out that there have been a number of studies and plans to improve roads and
3 sidewalks and to deal with traffic, but we don't take the next difficult steps in Richmond. He said he
4 agreed with Don Morin to increase density in the village. Kart added that we should focus on the zoning
5 bylaws before delving into the town plan again because the current town plan allows us to improve the
6 bylaws while remaining consistent with the town plan. Kart said he would like the Planning Commission
7 to focus on the floodplain regulations and he is concerned that the Planning Commission might move to
8 the FEMA base minimum requirements. Kart added that the flood insurance rates will double over the
9 next couple years and the best way to reduce the cost is through participating in the Community Rating
10 System which has is based on towns having greater restrictions on development in the floodplain.
11 Fausel replied there have been voices from the public to slow things down and the Planning
12 Commission wants to be sure people are on board with the changes. Kart also referenced Act 16 for
13 flood resiliency and other state laws.

14
15 LaBounty said working on the floodplain regulations is the top priority. He said he would like to work on
16 village zoning, Gateway zoning, and traffic in Richmond as the top Planning Commission priorities. He
17 also said the town should look closely at how to use CDBG funds that will be released in 2014 (from the
18 Borden Street project) and available for a public use.

19
20 Angela Cote said continuing to write a town plan is a waste of time and that there is no reason to do
21 fluvial erosion planning, nor should we pursue regulations for energy efficiency. She added that the
22 proposed changes to the Flood Hazard Overlay District are minimal and not really addressing the
23 issues. She said the creamery parcel urgency is due to the senior center. She does like having a unified
24 bylaw with the zoning and subdivision sections in one document. The largest problem with the proposed
25 bylaws was that the language was not accessible to the average citizen and the existing zoning districts
26 could have been refined with minimal tweaking.

27
28 Jackie Washburn said she isn't suggesting the town plan be re-written, but she wants a vision. Jeff
29 Forward said there isn't consensus about what to do, which is part of an on-going process, including the
30 bylaws being written with public input then being voted down. He said it's important to grapple with the
31 issues and get more people involved with the process. He noted this will take time.

32
33 Bruce LaBounty said there seemed to be consensus at last week's water and sewer meeting that there
34 needs to be more users. Cara LaBounty said it would not be difficult to change the bylaws to allow
35 greater density for Don Morin or Heidi Bormann's projects. (The Bormann project would create a
36 housing unit in the garage of a duplex on Main Street.) LaBounty suggested the Planning Commission
37 not work on the town plan right now. She suggested that the work on the floodplain regulations be done
38 separately.

39
40 Ellen Ward said a bunch of people have stepped forward with their concerns about the floodplain
41 bylaws that were changed significantly in 2009. They feel they have been burdened by those bylaws
42 that are in place now.

43
44 Fausel confirmed that the Planning Commission will do its prioritizing at the next meeting.

45
46
47 **Adjournment**

48 Foley made a motion to adjourn, seconded by Tellstone. So voted. The meeting adjourned at 9:32 PM.

49
50
51 Respectfully submitted by Cathleen Gent, Town Planner/Staff to the DRB

Richmond Planning Commission

Meeting – August 7, 2013

Sign-in Sheet
PLEASE PRINT

NAME	EMAIL ADDRESS or MAILING ADDRESS
<i>Carla LaBonte</i>	
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