

# Richmond Planning Commission

## Regular Meeting

Wednesday, February 5, 2014

### ***Approved Minutes***

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**Members Present:** Mark Fausel (Chair), Bruce LaBounty (Vice-Chair), Sean Foley, Lauck Parke, Brian Tellstone

**Members Absent:** Ann Cousins, Marc Hughes

**Others Present:** Cathleen Gent (Town Planner/Staff to the DRB), *[See attached list]*

**7:07 PM** Fausel called the meeting to order.

#### **Public Comments**

Chris Granda presented the Planning Commission with an Efficiency Vermont Residential New Construction Services informational sheet for the Energy Code Plus, Vermont Energy Star Homes, and High Performance Homes (PILOT). Granda briefly discussed the new requirement for the State RBES program in which the RBES certificate must be presented at the time that the owner applies for a Certificate of Occupancy, which is required in Richmond. In that way, the town zoning office has an enforcement responsibility. Gent pointed out that the only role for the town staff is to receive the RBES certificate, not to certify any work. Granda said that the current RBES program creates a tension between general building practices and what is required in the RBES program. For instance, the amount of allowed air leakage per hour is set at a threshold of ACH50 (based on a blower door test) or passing visual inspection. To actually pass the ACH test, a blower door test machine and training are needed and builders don't own the machines. Granda said that the Town of Hinesburg is moving toward a change in their zoning regulations to institute the Energy Code Plus Bronze residential construction service tier (Efficiency Vermont program). He reviewed the ways in which that program differs (i.e., has a higher set of requirements) compared to the state RBES code, which include the pressure door test, the location of ducts, and Energy Star HVAC equipment. He said the blower door test is done by Efficiency Vermont at no cost to the home owner. Efficiency Vermont also provides the enforcement service, on-site inspection, and training ahead of time for builders. Grand added that the Energy Code Plus Bronze program improves the quality of new construction and helps reduce owners' energy expenses in the long run. LaBounty asked if there is training for plumbers and insulators, who play a big role in installing energy efficiency components. Granda replied that Efficiency Vermont has seminars for those groups regularly. Parke asked about whether the program covers other building code issues. Granda said the program is not intended for overall regulatory purposes. In response to a question about long-term funding for Efficiency Vermont programs, Granda said that, although there is no guarantee, funding is in place for the near future. Foley added that the Public Service Board has appointed Efficiency Vermont to act as a utility, with a 20-year planning horizon. Wright Preston said, in his role as the town health officer, he sometimes serves as an informal building inspector. He said that many rental properties in Richmond do not meet state building codes, which is a problem from a health and safety perspective. Gent said it will be important, if Richmond incorporates the Energy Code Plus Bronze program as a "hybrid" in the zoning regulations, it will be important for Richmond to follow RBES requirements and standards for other program components. Granda said he will return to the Planning Commission in March with more detailed information, after a meeting with Planning & Zoning staff, Town Manager Geoff Urbanik, and energy coordinator Jeff Forward.

#### **Administrative Items**

*Mail* – Gent reviewed the mail.

*Meeting Minutes - For January 15, 2014* – No edits were offered. Motion by LaBounty, seconded by Parke, to approve the minutes. Voting: 5 in favor; 0 opposed; 0 abstentions.

#### **ECOS Science to Action Project – Next Steps**

Gent gave a brief introduction to the topic, noting that there are quite a few people interested in moving forward with next steps with the natural resources inventory project. Parke said he would like to push the project to the Conservation Commission to take whatever steps are appropriate. He added he can't foresee the Planning Commission getting to this soon, because of other priorities. Wright Preston said it would be ideal if the Planning Commission and Conservation Commission could work together, specifically asking for a Planning Commission liaison to be appointed. Preston added that, based on the fact that 50 people attended the ECOS meeting in January, many think it is important to move forward with next steps. Mark Fausel volunteered to be the project liaison. Preston said it will be important to come back and discuss plan options with the Planning Commission. He mentioned that working on the

1 ECOS project next steps can provide a focal point for the Conservation Commission, which does not  
2 currently have much going on. Both LaBounty and Parke said they would like to see non-regulatory  
3 tools pursued. Bob Low said that the next steps from the ECOS project should be integrated into the  
4 town plan, at the least.

5  
6 Motion by Parke, seconded by LaBounty, requesting the Conservation Commission to review the ECOS  
7 reports and to appoint Mark Fausel as a project liaison for the purpose of coordinating and prioritizing  
8 evidence-based elements (i.e., topics or locations) related to the ECOS project, with regular check-ins  
9 with the Planning Commission every three months.

10  
11 Parke noted that the Richmond Conservation Fund has been used with the Vermont Land Trust for  
12 grants and perhaps could be used to interact with large land owners, who did not know about the ECOS  
13 presentation in January. Preston said the Conservation Commission will look at the town plan and  
14 potential zoning changes and will also talk with neighbors and discuss priorities. Low said the  
15 Conservation Commission will establish time lines for different plans for moving forward, but will first  
16 look at the possible directions from a higher level, and then ascertain the general importance of the  
17 items and establish priorities. He said the committee will invite people to participate. Low pointed out  
18 that he has some documents with evidence-based recommendations, for instance, the Chittenden  
19 County Regional Planning Commission prepared maps in 2006 showing wildlife habitat. He said he will  
20 email those maps to Fausel and Gent.

21  
22 The Planning Commission then voted on Parke’s motion. Voting: 5 in favor; 0 opposed; 0 abstentions.

23  
24 **Creamery Parcel Update**

25 Gent distributed the handout with the REDC survey results, which were tabulated by Paul Hauf,  
26 Economic Development Committee chair. He described the ways people could provide input and ideas  
27 about development on the creamery parcel. Hauf said the major take away message is the majority of  
28 people feel that the creamery redevelopment should be a priority of the town. He said there is a sense  
29 of urgency because of the water and sewer rates and the brownfields situation is an impediment to  
30 development. There is a momentum for moving things forward. Parke said he thinks there is consensus  
31 about the need to re-do the zoning and he would like to recommend to the Selectboard that they move  
32 forward with interim zoning. Hauf agreed, adding that the town will need to take the steps to make the  
33 site attractive. Fausel asked if developers have told the Economic Development Committee specifically  
34 what they need, to help draft new regulations. Hauf replied that the developers aren’t providing any  
35 plans until they get a signal from the town about the zoning.

36  
37 The group then discussed interim zoning. Parke discussed Hinesburg’s experience in terms of there  
38 being an ad hoc committee, which helped develop draft bylaws and managed the process. Chris  
39 Granda said the Selectboard has a strong interest in resolving the water and sewer problem and is  
40 looking for the support of other commissions to create a plan/bylaw changes that are broadly  
41 acceptable to the community and in the best interests of the town. The group discussed development in  
42 terms of capping the areas affected by the brownfields and potential general uses. Hauf said he was  
43 impressed that David Raphael, creamery owner representative, said they don’t want to propose  
44 something that people in the community don’t want. The group then discussed possible interim zoning  
45 elements. Fausel suggested that the ad hoc committee should be a formal group appointed by the  
46 Selectboard, noting that the current ad hoc committee is not a formal group. Foley made a motion,  
47 seconded by LaBounty, that the Planning Commission is in favor of developing interim zoning  
48 regulations for the creamery parcel. Voting: 5 in favor; 0 opposed; 0 abstentions.

49  
50 The Planning Commission then discussed the best way to develop the interim zoning. The discussion  
51 turned again to the question about the ad hoc committee. The Planning Commission members said  
52 they prefer that the ad hoc committee develop the interim bylaws, with Planning Commission review of  
53 the version before it goes to the Selectboard.

54  
55 Parke made a motion, which was seconded by LaBounty, that the Planning Commission recommends  
56 to the Selectboard that the Selectboard formally appoint an ad hoc committee, with a member from the  
57 Planning Commission, Selectboard, DRB, and Economic Development Committee, as well as members  
58 from the community at large to take up the following tasks: to prepare a draft interim zoning bylaw; to

1 design and manage the process to solicit developers' proposals for development; and to encourage  
2 public participation throughout the process. Voting: 5 in favor; 0 opposed; 0 abstentions.  
3

4 LaBounty volunteered to serve on the ad hoc committee. The Planning Commission then briefly  
5 discussed the difficulties that some water and sewer customers are having in making payments.  
6 Granda explained that the system is in good fiscal shape, but that about 30 users are behind in  
7 payments and a handful were behind before the rates went up. He said that the water and sewer  
8 commission is again exploring changes to the rate structure. Mark Fausel thanked Hauf and Granda for  
9 the creamery information and for attending the meeting.

10  
11 **DEC Comments RE: Richmond Zoning Regs – Section 6.8 – Flood Hazard Overlay District**

12 The Planning Commission decided to take up this item at the next Planning Commission meeting.  
13

14 **Adjournment**

15 Tellstone made a motion to adjourn, seconded by LaBounty. So voted. The meeting adjourned at  
16 9:07 PM.

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

# Planning Commission Meeting

February 5, 2014

Sign-in Sheet  
PLEASE PRINT

NAME	EMAIL ADDRESS or MAILING ADDRESS
Chris Granda	chris@grastou.net
Bob Low	bob.low@uvm.edu
Brad Elliott	brzde@comcast.net
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Paul Terry	bambrickterry@yahoo.ca
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