

**Town of Richmond
Development Review Board
Staff Report
October 8, 2020**

168 River Road, LLC- Application 2020-088 for Conditional Use and Site Plan Review for an addition to an existing garage in the Flood Hazard Overlay District at 168 River Rd, Parcel ID RI0168, in the Commercial (C) Zoning District.

SUBMITTALS:

- A. Site Plan & Conditional Use Application – dated 7/15/2020
- B. Narrative description, undated
- C. 2005 Site Plan, prepared by ESPC, dated 4/21/2005
- D. Zoomed in Site Plan, with addition drawn by applicant, undated
- E. 168 River Rd- SFHA, ANR Atlas, dated 8/9/2020
- F. Richmond Property Record Card for RI0168
- G. Comments from Rebecca Pfeiffer, State Floodplain Protection Manager, received 8/11/2020
- H. Email from Jason Harvey re: cost of garage built 2007, received 8/12/2020
- I. Patterson Fuels Garage Extension, prepared by Scott & Partners, dated 09/30/2020
- J. Comments from Kyle Medash, State Regional Floodplain Manager, received 10/7/2020
- K. Elevation Certificate

PROCEDURAL INFORMATION:

As per the Notice Requirements, a Notice for Public Hearing appeared in the Burlington Free Press on July 27, 2020 and was posted at 4 locations in Town and on the municipal website. The Referral Notice was sent to the Applicant and a copy of the Notice was sent to all adjoining landowners on July 23, 2020.

Per Section 6.8.17 (c), the application was submitted digitally to the State Floodplain Coordinator, Rebecca Pfeiffer on July 15, 2020. Additional materials were submitted to Kyle Medash, State Regional Floodplain Manager, on October 2, 2020.

DESCRIPTION OF PROJECT:

1. Patterson Fuels operates out of 166 River Rd and 168 River Rd. in the Special Flood Hazard Area (SFHA) within the Commercial Zoning District.
2. The office is on RI166 and the garage and fuel tanks are on RI0168. The garage would be considered an accessory structure on the parcel since the main or principal use of the lot is not a garage but a fuel company.
3. The Applicant would like to construct a 32'Lx12'Wx23'H addition to the existing truck garage. (Submittal A, B, & D)
4. The addition will allow work to be done on some of the bigger trucks during the winter months more easy for the mechanic.
5. The addition will match the existing garage in terms of siding and roofing. The existing overhead doors will be relocated to the front of the addition. (Submittal B)
6. Section 6.8.11 a)1 of the Richmond Zoning Regulations (RZR) allows for an addition to an accessory structure with approval by the Administrative Officer.
7. Changes to an approved Site Plan that involve changes to internal traffic do require DRB review.

8. The total lot coverage per the 2005 Site Plan, Submittal C, is 42%. The total lot coverage allowed in the Commercial Zoning District is 50%.
9. The proposed addition would not increase the lot coverage since the addition will be out from the front of the garage in an area that is already impervious (asphalt).
10. The Applicant requested a waiver from Section 5.5.2c)- that the Site Plan be prepared by a registered surveyor, professional planner, engineer, architect or landscape planner. (Submittal B)
11. Per Section 6.8.16f) all existing non-residential Structures to be substantially improved or replaced, **and** all additions to nonresidential structures shall: 1) Be reasonable safe from flooding 2) Have the lowest floor elevated to a minimum of 1' above Base Flood Elevation or be dry flood proofed at least 2' above BFE or if solely used for parking of vehicles be wet proofed as per 6.5.16d)2 or 3) Have structural designs, specifications and plans prepared and certified by a registered professional engineer or architect. Designs and proposed methods of construction shall be in accordance with accepted standards of practice for meeting all FEMA Flood proofing and elevation provisions.
12. The DRB determined at the August 12, 2020 meeting that, per Section 6.8.16f) of the RZR, structural designs specifications and plans prepared and certified by a registered professional showing designs and proposed methods of construction in accordance with accepted standards of practice for meeting all FEMA Flood proofing and elevation provisions were required.
13. Submittal I, Permit Construction Set by Scott and Partners, was received October 2, 2020 and submitted to Kyle Medash for comments.
14. Mr. Medash's comments, Submittal J, requested additional information and were forwarded to the Applicant.
Staff Discussion- The State requested that the plans should indicate the BFE, lowest floor elevation and pre and post construction grades. An Elevation Certificate should be provided, as well as details on all electrical/mechanical and information on the flood vents. The Applicant has submitted an Elevation Certificate (Submittal K) and forwarded the State's comments to his architect. The State is assuming that this work will be a Substantial Improvement but per Section 6.8.16f) Substantial Improvements AND all additions require this information. Staff is unclear if there would be a difference with what the State would like if it was not a Substantial Improvement.
15. The Applicant has been asked to provide an accurate estimated cost of the addition to confirm that the work would not be considered a Substantial Improvement. As of October 8, 2020 the Applicant was still working on this figure.
16. Submittal F, the property record card was updated by the Town Assessor on August 12, 2020 and the garage was valued at approximately \$60,000.
17. The Applicant found construction costs for the garage and states that the total in 2007 dollars was \$51,000 and is insured for \$100,000. (Submittal H)
Staff Discussion- the Applicant would need to follow Section 6.8.16f) (see number 11) whether it is a Substantial Improvement or not. Once the additional items are provided per the State's comments regarding the BFE being added to the plans and information regarding the flood vents and electrical information, then this may meet this requirement.
18. Once started the proposed work would take approximately 1 month to complete.

STAFF DISCUSSION:

1. Staff has submitted to Kyle Medash, Regional Floodplain Manager, an email to clarify his comments about requirement per Section 6.8.16 (f) of RZR on October 8, 2020 and if there is a difference if a building is Substantial Improved or just an addition. No comments received.

PROPOSED STANDARD CONDITIONS:

1. The applicant shall apply for a Building and Zoning Permit for the work approved under this approval prior to construction.

2. The project shall be developed in conformance with the above referenced site plans, and submittal documents.
3. Any other applicable zoning regulations not expressly waived in this decision must be complied with.
4. This decision shall not relieve the applicant from any obligation to obtain all other applicable required federal, state and local permits, including wastewater permits.

