

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

Falcon Property Management Partners- Application 2020-113 for Site Plan Review for the relocation of three mobile home sites within Riverview Commons Mobile Home Park, MHP Zoning District. Parcel ID#FL0068, for sites LW0023, LW0029 and MW0455 to location between MW0217 and MW0267.

SUBMITTALS:

- A. Site Plan Application, dated 8/26/2020
- B. Cover Letter, McCain Consulting, dated 7/30/2020
- C. Site Plan, Sheet C-1, prepared by McCain Consulting, dated 7/2/2020
- D. Details, Sheet C-2, prepared by McCain Consulting, dated 7/2/2020
- E. Schedule G- Notice of Initial Application Filing, dated 8/20/2020
- F. Project Review Sheet, WW-4-5439, dated 8/26/2020
- G. Riverview Commons Site Map, not to scale, with sites marked, prepared by staff, 9/4/2020
- H. E911 Viewer Site Map, dated 9/4/2020
- I. ANR Atlas Resource Map, dated 9/4/2020
- J. ANR Atlas Slope Map, dated 9/4/2020
- K. Wastewater & Water Permit WW-4-5439, issued 9/9/2020
- L. Letters sent to units to be moved and Meadow Lane neighbors, dated 9/24/2020 and 10/2/2020

PROCEDURAL INFORMATION:

As per the Notice Requirements for Site Plan Review, an Agenda was posted at 3 locations in Town and on the municipal website and Front Porch Forum. The Referral Notice was sent to the Applicant and a copy of the Notice was sent to all adjoining landowners on August 27, 2020.

BACKGROUND INFORMATION:

- 1970's – Green Acres Mobile Home Park Established
- 1984 – Falcon Management acquires parcel, name changed to Riverview Commons after this time.

DESCRIPTION OF PROJECT:

1. The Applicant is seeking approval to relocate 3 mobile home sites with Riverview Commons Park. Two of the sites, 23 and 29 Lower Circle (LW0023 & LW0029), are within the Flood Hazard Overlay District. The third site is located at 455 Meadow Lane (MW0455) and is the last site on Meadow Lane. MW0455 is not in the FHOD. All three sites will be moved to an open area on Meadow Lane between MW0217 and MW0267. (Submittal B & C)
2. LW0029 does not currently have a mobile home on site.
Staff Discussion- confirm that the applicant intends to relocate 23 and 29 Lower Circle and 455 Meadow Lane. Attorney for Falcon indicated that they intend to move 455 Meadow Lane but the other two to be moved were not settled. Staff reminded Applicant that the application was warned for those specific units and if this were to change then the application would have to be re-warned. Additionally, the State Water & Wastewater permit was for the specified units and would need to be amended as well. This might also affect their Act 250 Amendment.
3. The proposed location for the sites is an open area with potential steep slopes greater than 20%. (Submittal J)

4. Per Section 6.11 of the RZR's, any proposed construction on land with a slope of over 20% shall be required to submit engineering plans for adequate erosion control and safe construction methods as part of a complete application for the proposed use, activity or structure.

Staff Discussion- this is not a requirement for Site Plan approval but for a permit.

5. Per Section 5.5.3, Site Plan Review looks at the traffic, landscaping & screening, Renewable Energy Resources, and Signs.
6. The Applicant is not proposing any change to traffic. There will be three new units on Meadow Lane. Since Meadow Lane is a private road, no Access Permit is required from the Town.
7. The receiving site does have several trees that will be removed for the placement of the new mobile home sites. There is no approved Landscaping Plan associated with Riverview Commons.
8. Per Section 5.5.5a of the Richmond Zoning Regulations (RZR's) - Minor Amendments may be approved by the Administrative Officer and are those which do not involve changes to approved curb cuts, internal traffic or pedestrian circulation patterns, landscaping or screening. With the changes to internal traffic associated with this application the ZA cannot approve this application as a Minor Site Plan Amendment.
9. The Applicant states that the new location will be served by the existing community water & wastewater system and there will be no net increase to the number of units on the system. (Submittal B)
10. The Applicant has submitted an application to the State for both ACT 250 and Water & Wastewater approval for the project. (Submittals E & F)
11. The Applicant has received Water & Wastewater approval WW-4-5439. (Submittal K)
12. The Applicant has sent letters to the three residents that abut where the new home sites will be on Meadow Lane and to all of the units to be moved. (Submittal L)
13. The Applicant intends to commence construction in late 2020 or early 2021.
14. The application is subject to review under the following sections of the zoning regulations:
 - a. Section 5.5 Site Plan Review
 - b. Section 6.11 Steep Slopes

PROPOSED CONDITIONS:

1. Prior to any construction, the Applicant shall apply for a Zoning Permit to develop any portion of the development as proposed under this application. Such an application shall include engineered plans for adequate erosion control and safe construction methods.
2. All State approvals shall be received prior to the issuance of a Zoning Permit.

PROPOSED STANDARD CONDITIONS:

1. The project shall be developed in conformance with the above referenced survey plat, plans, and submittal documents.
2. Any other applicable zoning regulations not expressly waived in this decision must be complied with.
3. This decision shall not relieve the applicant from any obligation to obtain all other applicable required federal, state and local permits, including wastewater permits.
4. Per Section 8.2.5e of the Richmond Zoning Regulations, this approval shall expire two years from the date of final approval unless a valid Zoning Permit has been obtained and is determined to remain in effect, or the DRB determines at a warned public hearing that substantial commencement of the project has begun or that the work, time and expenditures invested in the project indicates a good faith intent to presently commence upon the project. The DRB may grant an extension of up to 12 months for good cause, if a request for extension was made before the end of the 24-month period after the final approval.