

TO: Richmond Selectboard

CC: Chris Cole, Richmond Planning Commission Chair

FROM: Ravi Venkataraman, Town Planner

DATE: March 4, 2020

SUBJECT: Hillview Subdivision Proposal

### Background

During the February 10, 2021 Development Review Board (DRB) meeting, the DRB facilitated an informal meeting to discuss a Sketch Plan Review application for a nine-lot subdivision at 2427 Hillview Road. In attendance to discuss this item were the applicant's representatives and numerous neighbors residing in the vicinity of the proposed subdivision. The neighbors were concerned about:

- The density of the proposed development;
- Impacts on natural resources, including forests, wildlife, and wetlands;
- The effects of development on the viewshed;
- Stormwater runoff;
- Traffic impacts;
- Future development on the 85.5-acre lot marked as "reserved" on the site plans;

The neighbors also argued that the proposed settlement pattern did not conform to the language in the current Town Plan.

Neighbors voiced their concerns about the proposed subdivision and the Town Plan during the February 16, 2021 Selectboard meeting and the February 17, 2021 Planning Commission meeting.

### Subdivision Application Process

I have enclosed a flowchart showing the application process for subdivisions in town. The applicant completed Sketch Plan Review. Per the town's Subdivision Regulations Section 200, the purpose of Sketch Plan Review is (emphasis added):

*"to acquaint the DRB with the intent of the SUBDIVISION at an early stage in the design process. The SUBDIVIDER will explore, with the DRB, alternative design schemes that could satisfy the standards of these Subdivision Regulations, the TOWN PLAN, ZONING REGULATIONS, and all other applicable Town ordinances. SKETCH PLAN review is a voluntary, informal review, and is not binding on the DRB or the SUBDIVIDER."*

The formal application process begins with the Preliminary Subdivision application. For this Sketch Plan Review application, I provided numerous comments on items the applicant will need to address within their Preliminary Subdivision application.

The applicant has not submitted a Preliminary Subdivision application as of yet.

### Response

Last week, Selectboard members Bard Hill and Katie Mather, Planning Commission Chair Chris Cole, Town Manager Josh Arneson and I talked about the neighbors' concerns and best methods to address the issues they raised. We discussed the following questions and concluded the respective responses

- Are the Zoning Regulations in compliance with the Town Plan currently in effect?

The current Zoning Regulations for the location the proposed subdivision are in compliance with the 2018 Town Plan. Town Plans dating back to the 1992 Town Plan have called for low-density development and the preservation of the rural character for the location of the proposed subdivision. The one-acre minimum lot size standard has been in place since 1969, but it was reevaluated and readopted during the last major overhaul of the Zoning Regulations in 1996. The Planning Commission has had numerous discussions on the minimum lot size requirements in the Agricultural/ Residential District since 1996, and, based on public input, concluded to not change the existing standard. Based on recent developments and zoning standards other municipalities have adopted for their rural districts, I believe a review of how the town defines "low-density development" and "rural character" is needed. But this is not to say that the zoning regulations are not in compliance with the Town Plan for the location of the proposed subdivision.

- Can the Zoning Regulations be changed to address the neighbors' concerns?

Theoretically, changing the zoning regulations is possible. But this would depend on when the applicant files a Preliminary Subdivision application and how quickly the town would like to change the zoning regulations. The quickest way to change the zoning regulations would be for the Selectboard to adopt interim zoning regulations. Interim zoning regulations are temporary, and the Selectboard may adopt interim zoning regulations for a period of two years. This process can take months. If the applicant were to file a Preliminary Subdivision application while the Selectboard is considering interim zoning regulations, the applicant would be subject to the zoning regulations in effect, not the interim zoning regulations under consideration.

In addition, any proposed zoning changes would have to affect the entire Agricultural/Residential District. Changes to the zoning regulations would need to be applied uniformly in all areas the Town Plan considers to be the same. Most of the town per the Town Plan and the Zoning Regulations is in the Agricultural/Residential District. The land use map in the 2018 Town Plan is enclosed. The Town Plan map is reinforced by the current zoning map, which is also enclosed. Any change to the zoning regulations for the Agricultural/Residential District would deeply impact most of the town, and careful consideration is needed before new zoning regulations for the Agricultural/Residential District is implemented.

To conclude, the following actions have been and will be taken to further investigate and resolve the issue:

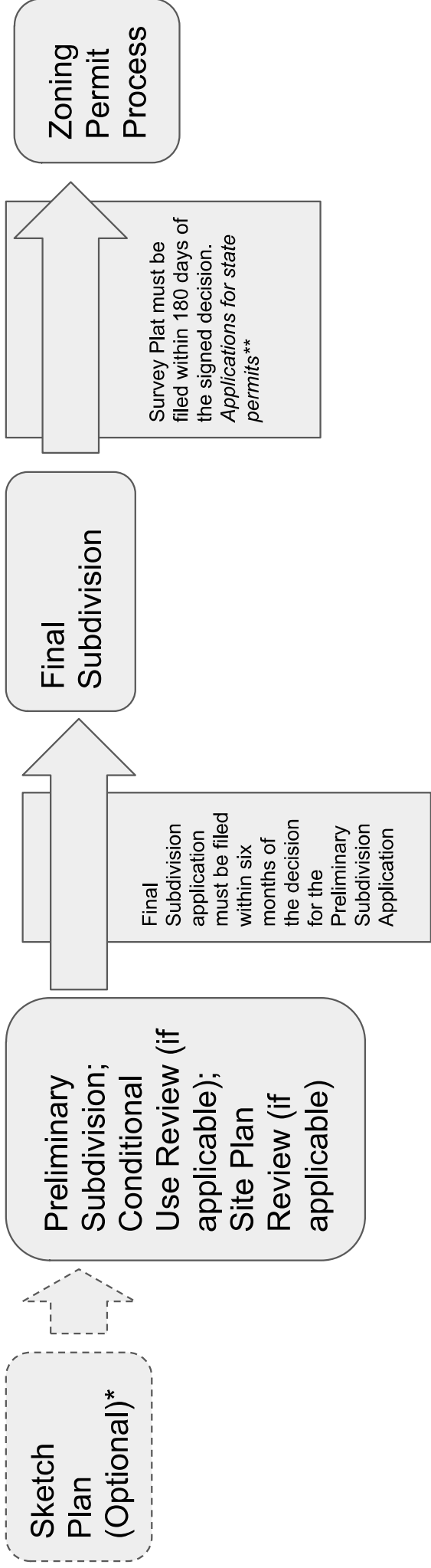
- A working group within the Planning Commission to investigate regulatory issues regarding density, viewsheds, and natural resource protection, and to devise regulatory solutions for areas within the Agricultural/Residential District has been formed.
- Public outreach meetings with residents and business owners within the Agricultural/Residential District will be held later this year for input and feedback. The community will be informed about these community outreach meetings via physical postings at the Town offices, the post

office, and the Richmond Market and Beverage, and online postings on the Town website and Front Porch Forum.

- The Planning Commission will inform the Selectboard on the commission's progress throughout the year.

Please don't hesitate to reach out to me if you have any questions.

# Subdivisions and Planned Unit Developments

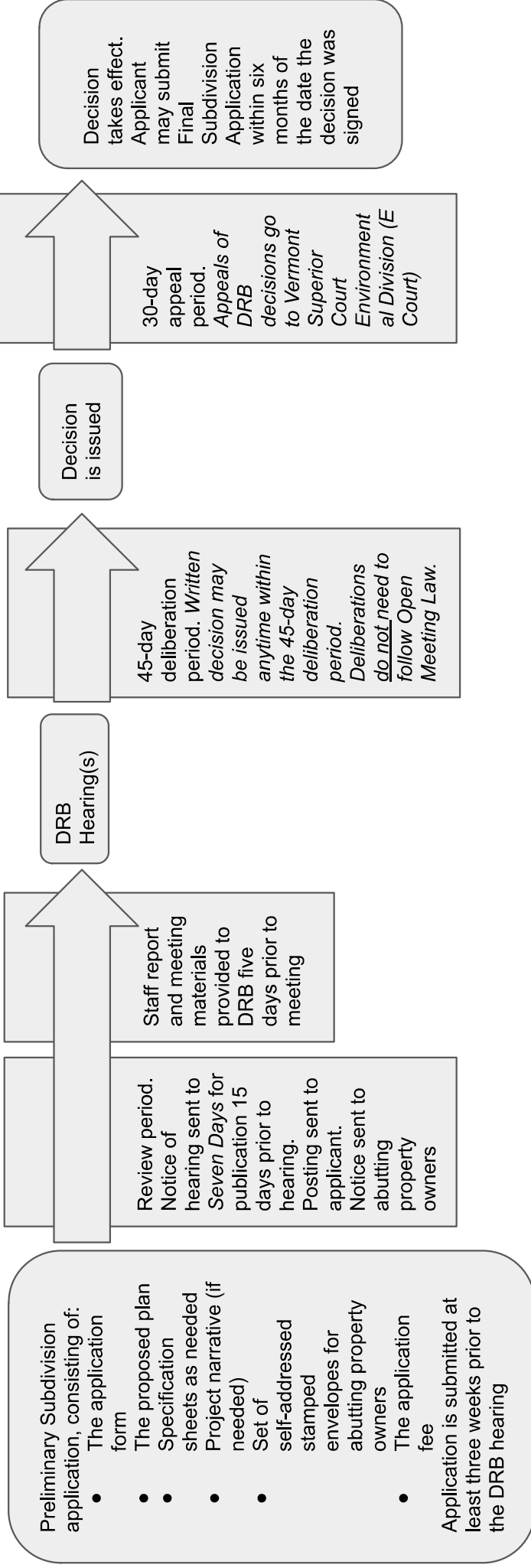


*\*Sketch Plan is informal, and not considered the beginning of the Subdivision application process. The DRB cannot make any binding decisions on Sketch Plan applications. Since Sketch Plan is informal, optional, and nonbinding, public announcements of Sketch Plan applications are not required. However, notification of adjoining property owners of Sketch Plan applications prior to the hearing is required per Subdivision Regulations Section 210.*

*\*\*Applicants apply for state permits (including Act 250 review, if required) after they have received approval from the Town for the subdivision and before construction. All necessary state permits are required before construction, but not necessarily before pulling a Zoning Permit for construction.*

# Preliminary Subdivision

*Applies to subdivisions with uses that do not require Conditional Use and/or Site Plan Review\*.*



*\*Conditional Use and/or Site Plan Review are requirements for the uses on the property, not for the subdivision itself. We advise applicants that if they know the uses that are going to be on the property, they should try to receive approvals for the uses during the subdivision process, so that they don't have to come back to the DRB for approvals later. Applicants can come back to the DRB for Conditional Use or Site Plan Review approval for a use after the approval of the subdivision, depending on the permit conditions for the subdivision approval.*

# Final Subdivision

*Applies to all subdivisions, except administrative subdivisions, and Planned Unit Developments*

- Final Subdivision application, consisting of:
- The application form
  - The proposed plan
  - Set of self-addressed stamped envelopes for abutting property owners
  - Specification sheets as needed
  - Project narrative (if needed)
  - The application fee
- Application is submitted at least three weeks prior to the DRB hearing

Review period.  
 Notice of hearing sent to abutting property owners Seven Days for publication 15 days prior to hearing.  
 Posting sent to applicant.  
 Notice sent to abutting property owners

Staff report and meeting materials provided to DRB five days prior to meeting

DRB Hearing(s)

45-day deliberation period. Written decision may be issued anytime within the 45-day deliberation period.  
 Deliberations do not need to follow Open Meeting Law.

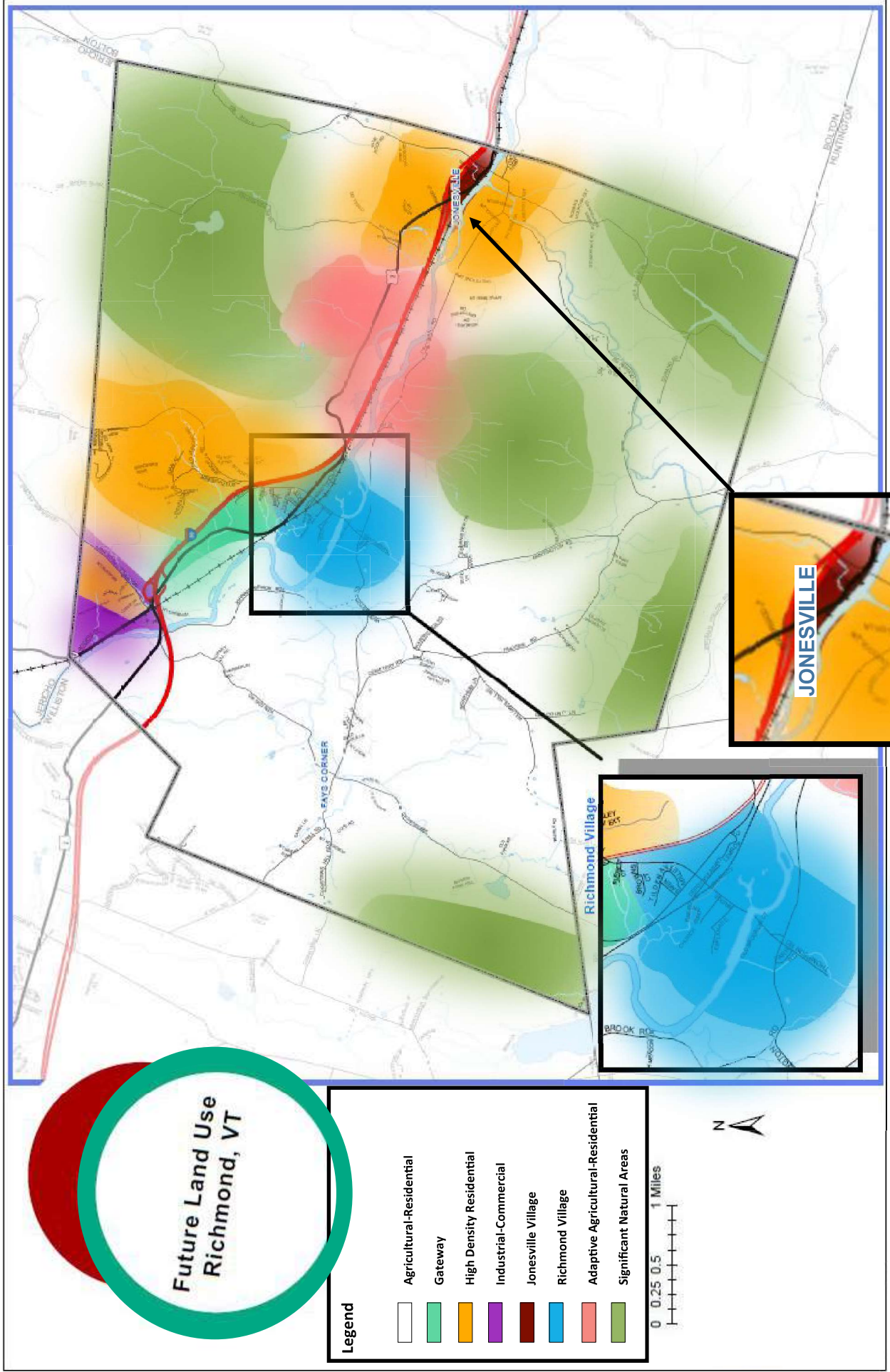
Decision is issued

30-day appeal period. Appeals of DRB decisions go to Vermont Superior Court Environmental Division (E Court)

Decision takes effect.

Survey plat to be recorded within 180 days of the decision

THIS IS A CONCEPTUAL RENDERING OF THE FUTURE LAND USE AREAS DESCRIBED IN THE FUTURE LAND USE TECHNICAL PLAN. BOUNDARIES OF THESE AREAS ARE NOT DEFINITIVE. NOT A ZONING MAP. ZONING DISTRICTS TO BE DETERMINED.



Future Land Use  
Richmond, VT

- Legend**
- Agricultural-Residential
  - Gateway
  - High Density Residential
  - Industrial-Commercial
  - Jonesville Village
  - Richmond Village
  - Adaptive Agricultural-Residential
  - Significant Natural Areas

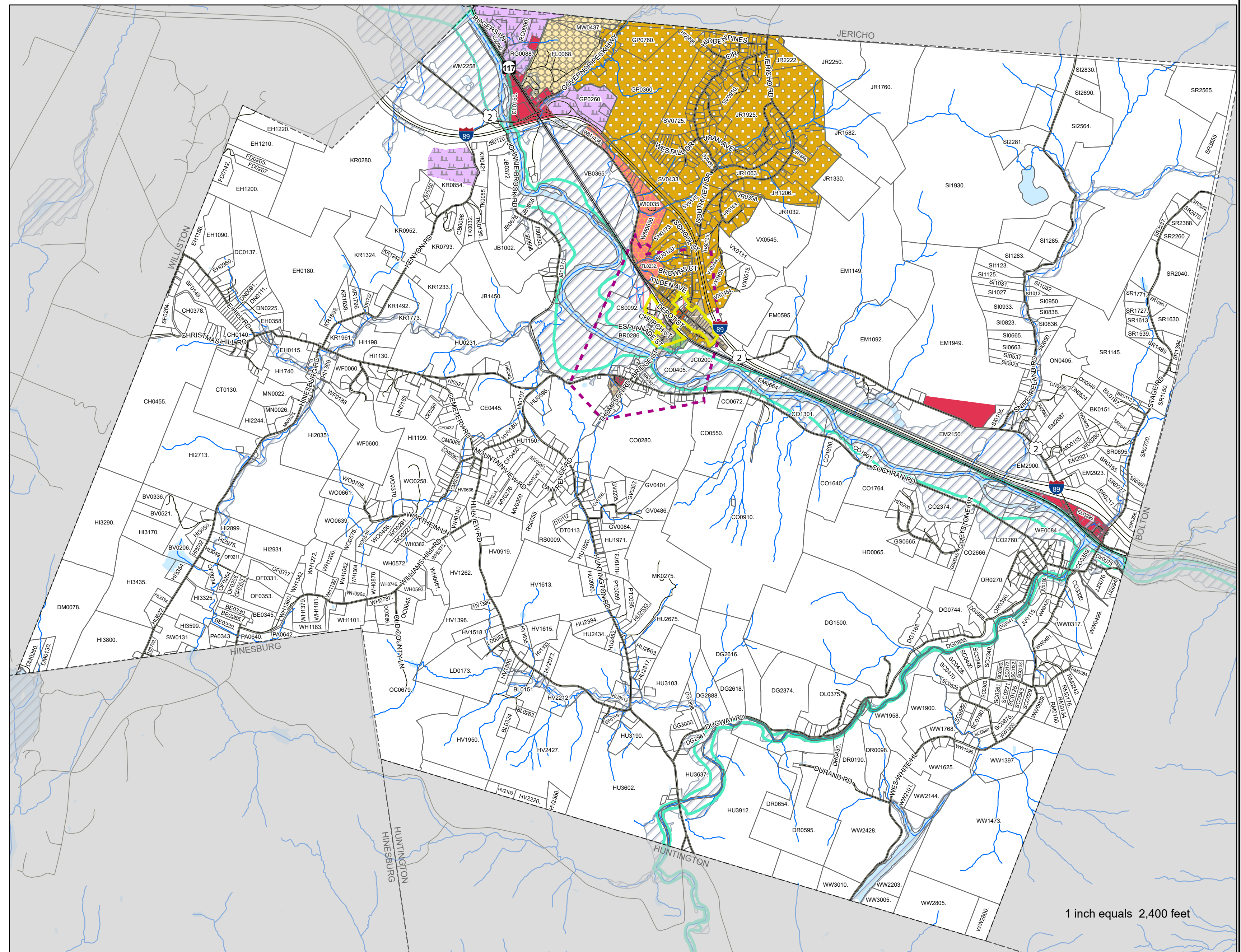
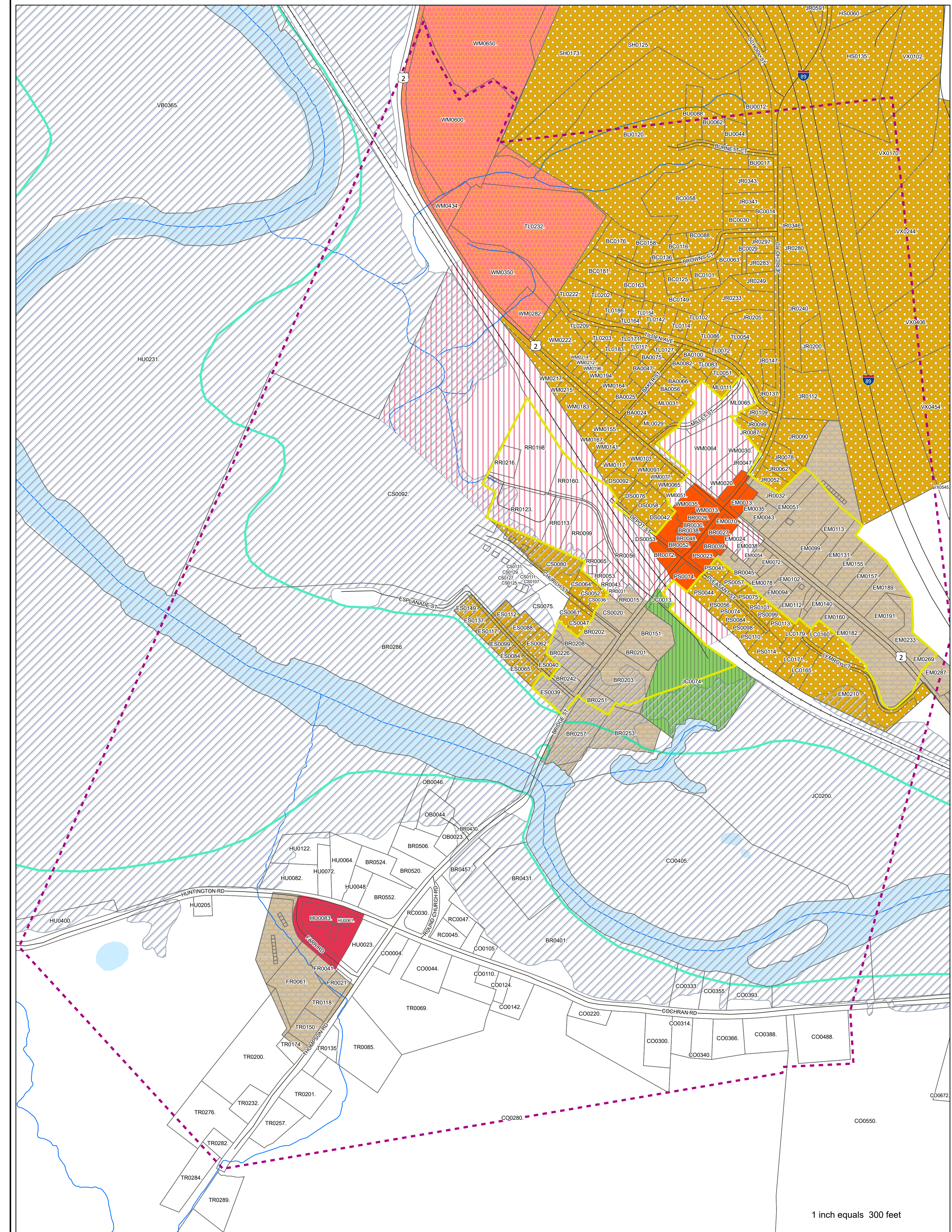
0 0.25 0.5 1 Miles



# Official Zoning District Map Richmond, Vermont



- Legend**
- |                                  |                                      |
|----------------------------------|--------------------------------------|
| <b>Zoning District</b>           | <b>Flood Hazard Overlay District</b> |
| □ Agricultural/Residential (AR)  | ▨ Floodway                           |
| ■ Commercial (C)                 | ▨ Special Flood Hazard Area          |
| ■ Gateway Commercial (G)         | ▨ Village Center                     |
| ■ High Density Residential (HDR) | ▨ Water Wastewater Service Area      |
| ■ Industrial/Commercial (IC)     | — Road Centerline                    |
| ■ Jolina Court (JC)              | — Railroad                           |
| ■ Mobile Home Park (MHP)         | — Stream Centerline                  |
| ■ Residential/Commercial (RC)    | — Water Body                         |
| ■ Village Downtown (VD)          | □ 2017 Tax Parcel Boundary           |
| ■ Village Commercial (VC)        |                                      |



Sources:  
 Flood Hazard Overlay - FEMA Special Flood Hazard Area, 2014  
 Zoning - updated by CCRPC, March 2020  
 Road Centerline - downloaded 6/11, March 2020  
 All data is in State Plane Coordinate System, NAD 1983.

Disclaimer:  
 This map is for planning purposes. The accuracy of information presented is determined by its sources. Errors and omissions may exist. The Chittenden County Regional Planning Commission is not responsible for these. Questions of on-the-ground location can be resolved by site inspections and/or surveys by a registered surveyor. This map is not sufficient for delineation of features on-the-ground. This map identifies the presence of features, and may indicate relationships between features, but is not a replacement for surveyed information or engineering studies.

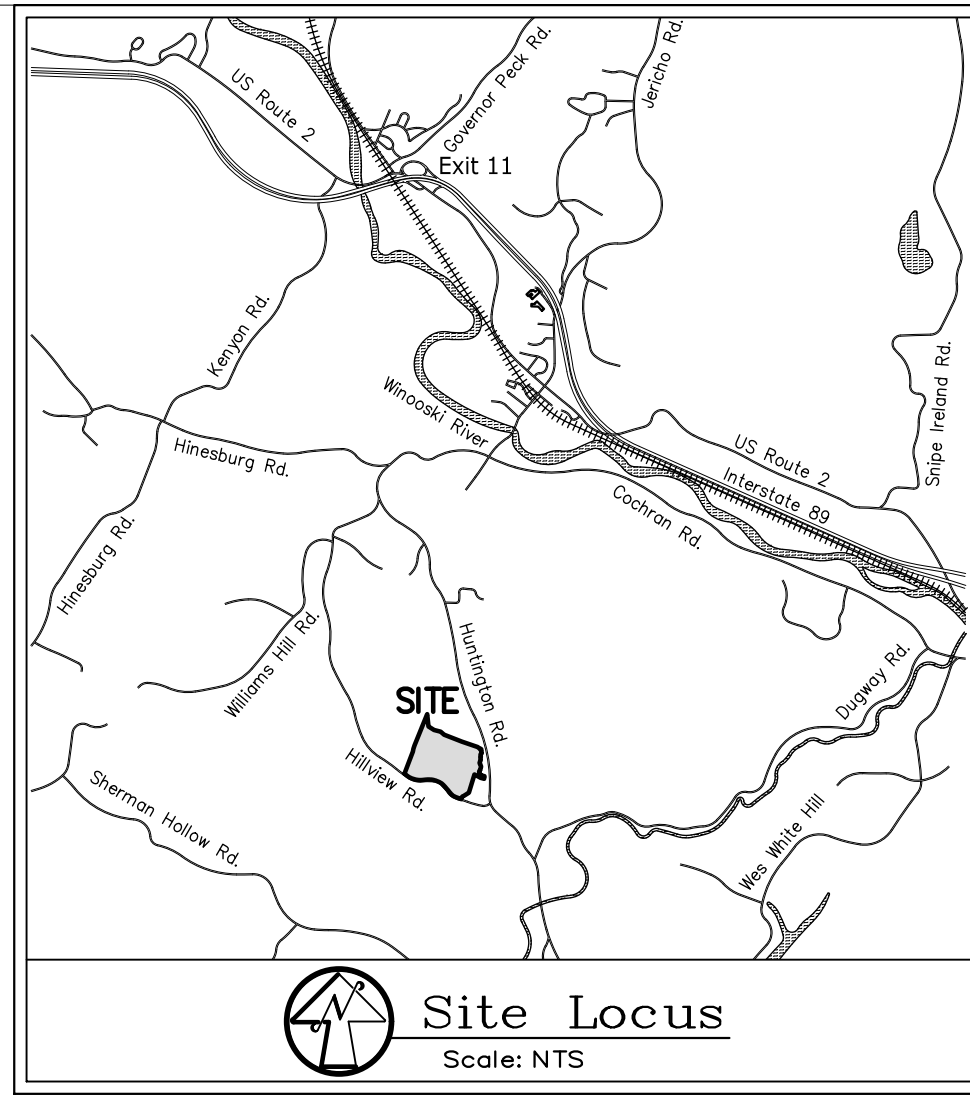
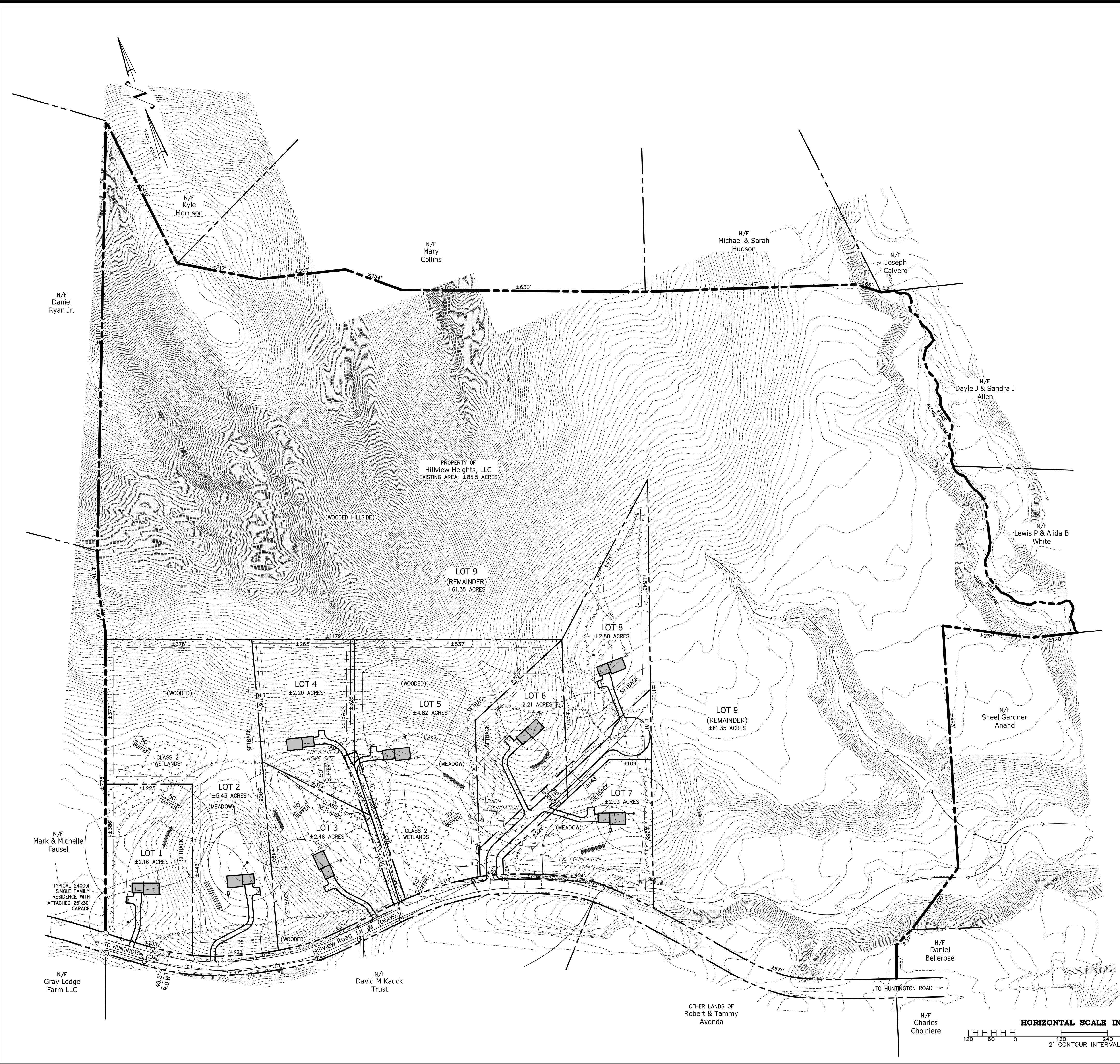
Chair of the Richmond Selectboard



Effective August 11, 2020



Q:\2020 Drawings\20029 - Bob Avondas, Richmond\Current\C-1 Overall Site Plan.dwg Plotter: 1/15/2021 11:18:07 AM



LEGEND		
	EXISTING	PROPOSED
DRAINAGE MANHOLE		
CATCH BASIN		
END SECTION		
SEWER MANHOLE		
SEWER CLEANOUT		
HYDRANT		
END CAP		
CURB STOP		
GATE VALVE		
WELL		
UTILITY POLE		
GUY WIRE		
LIGHT POLE		
WALL PACK LIGHT		
TRANSFORMER BOX		
TELEPHONE BOX		
ELEVATION BENCHMARK		
PROPERTY LINE		
RIGHT-OF-WAY		
CENTERLINE OF ROAD		
STORMDRAIN		
UNDERDRAIN		
GRAVITY SANITARY SEWER		
PRESSURE SANITARY SEWER		
WATER MAIN/SERVICE		
GAS MAIN/SERVICE		
OVERHEAD UTILITY		
UNDERGROUND UTILITY		
OVERHEAD ELECTRICAL		
UNDERGROUND ELECTRICAL		
OVERHEAD TELEPHONE		
UNDERGROUND TELEPHONE		
STREAM/DRAINAGE SWALE		
WETLAND DELINEATION		
WETLAND BUFFER		
EDGE OF WOODS		
CONTOURS		

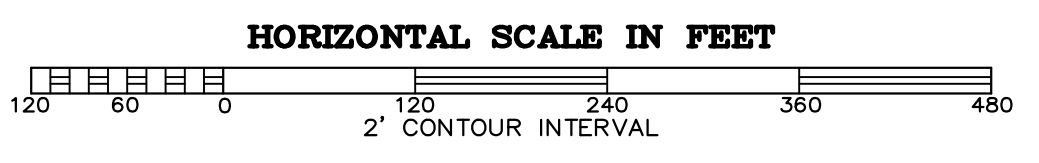
NOTE: LEGEND MAY INCLUDE SYMBOLS AND LINES NOT RELEVANT TO THIS PROJECT

**TOWN OF RICHMOND ZONING DATA**

ZONING DISTRICT: Agricultural/Residential (AR)  
 ZONING OVERLAY: Special Flood Hazard Area (SFHA)  
 EXISTING LAND USE: Residential and Agricultural  
 PROPOSED LAND USE: Residential

	Requirements	Proposed
Min. Lot Area	1 acre	>1.40 acres
Min. Lot Width	50 FT	>100 FT
Front Yard Setback	35 FT	>50 FT
Side Yard Setback	20 ft	>50 FT
Rear Yard Setback	20 ft	>50 FT
Max. Lot Coverage	30%	<20%
Max. Building Height	35 ft	<35 FT

Source: Town of Richmond Land Development Regulations, 2020



Sketch Plan

PROJECT: 20029  
 DATE: Jan. 14, 2021  
 DESIGN: PHC  
 DRAWN: RHW  
 CHECKED: PHC  
 APPROVED: PHC

TEL: 802-524-2113  
 FAX: 802-524-9681

Hillview Heights, LLC  
 South Burlington, VT

Overall Site Plan

Hillview Road Subdivision  
 Richmond, VT

CIVIL

C-1

SHEET C-1 OF 1