

Richmond Planning Commission
REGULAR MEETING MINUTES FOR May 19, 2021

Members Present: Chris Cole, Virginia Clarke, Chris Granda, Caitlin Littlefield, Joy Reap, Jake Kornfeld, Mark Fausel, Alison Anand

Members Absent:

Others Present: Keith Osborne (Zoning Administrator/Staff), Lisa Miller, Trish Healy, David Healy, Allen Knowles, Huseyin Sevincgil, Tom Frawley

1. Welcome and troubleshooting

Chris Cole called the meeting to order at 7:06 pm.

Keith Osborne introduced himself to the Planning Commission.

2. Adjustments to the Agenda

Cole and Chris Granda acknowledged that item 8 is to be removed from the meeting agenda.

3. Public Comment for non-agenda items

None

4. Approval of Minutes

Motion by Granda, seconded by Caitlin Littlefield, to approve the May 5, 2021 Planning Commission meeting minutes. Voting: unanimous. Motion carried.

5. Discussion on Accessory Dwelling Units, State Permits, Nonconforming Lots

Clarke asked the commission about their opinion about Section 5.9(e) and the definition of "habitable floor area". Cole asked about the commission about removing the owner-occupancy requirement and allowing both dwelling units to be rented. Granda said that enforcing owner occupancy of the units is difficult and that he is not aware of issues around large-scale absentee ownership in town. Clarke said that the town does not have a rental policy. David Healy said that he is opposed to removing the owner occupancy requirement, that there are other policies in place that are not enforceable but followed on principle, and that expanding the allowance would lead to absentee ownership. Joy Reap said she was torn on this issue and accepts the need for housing in town. Reap asked how many accessory dwelling units are within Richmond Village. Healy said he was not sure, and noted the differences in impacts of accessory dwelling units in village and non-village settings. Reap asked about converting garages into accessory dwelling units.

Fausel provided background on the previous changes to the accessory dwelling unit allowances and owner occupancy, and the commission's intent at the time to prevent absentee landlords and to promote regular maintenance. Fausel said that the committee acknowledged that accessory dwelling units would aid new homeowners in affording their home, as they would be able to rent a unit. Fausel said that he favored keeping the policy as-is with the owner or family member living in either the single-family dwelling or accessory dwelling unit.

Kornfeld noted that the discussion has been focused on generational wealth and home financing, not

access to housing in itself; that if the commission wants to improve the equitable access to housing, it should expand allowances and allow for more flexibility; and that in this current era, generating capital to purchase a house is difficult, leading to renters renting for longer terms than the commission assumes. Cole recognized that housing costs in Vermont are high, and said that the town had a decent amount of rental housing based on the amount of rental housing in the village. Fausel said that the owner occupancy policy promotes both homeownership and rental housing, as it allows a homeowner to be able to afford the house by renting the accessory dwelling unit. Kornfeld said that renter-occupied single-family dwellings would be ineligible to host an accessory dwelling unit if the town were to require owner occupancy. Cole said he was concerned the loss of home-ownership units, and that he has seen the loss of home-ownership units in South Burlington due to upzoning via accessory dwelling units. Allen Knowles asked for clarification about Cole's comment on housing quality, and said that his projects on East Main Street are evidence that quality does not need to be sacrificed for rental units. Reap asked if adding an accessory dwelling unit on a house in the village would be held to the same standard as duplexes and additions. Clarke said that single-family dwellings are allowed an accessory dwelling unit per statute. Cole made note of Reap's comment at a previous meeting about the difficulty of obtaining financing for an accessory dwelling unit. Clarke found that placing restrictions on who can rent a particular housing type to be discriminatory, considering that no such restrictions on other housing types are in place. Alison Anand said that the intent of the policy was to house family members and to allow joint family structures to live on the same property, and that the actuality changed over time. Anand said she had mixed feelings about this policy proposal, and that the commission may want to leave the policy as-is. Fausel said that the change to allow more family members to reside in accessory dwelling units.

Granda asked the commission about enforcing the current regulations. Osborne said that he is unaware of past enforcement actions toward violations of residency requirements. Clarke suggested including language that would allow a tenant to stay in the property for a period of time if the ownership changed. Granda said that he agreed with Healy's prior comment on policies that are not enforceable, and that in this instance, he questions the basis for including the owner occupancy requirement.

Cole asked Clarke about next steps. Clarke suggested tabling this item to another meeting. Cole agreed.

6. Recap on Village Commercial and Residential/Commercial Districts

Clarke overviewed the questions listed in the handout in the packet. Cole suggested reviewing the questions in order, starting with the designation of the Goodwin-Baker Building. Sid Miller accepted that the area surrounding the Goodwin-Baker Building is residential, noted past concerns about the possible inclusion of low-income housing within the building, and said that the office uses work well and that having the allowance for housing could be helpful. Miller asked for clarification about light manufacturing uses. Clarke read the definition of light manufacturing and said that light manufacturing could be a suitable use as a conditional use within the building. Miller said that he is leaning towards designating the building as the Residential/Commercial District and that he could envision a suitable light manufacturing operation within the building. Miller said that he received inquiries about using the building for wholesale distribution, that interest waned because the site is not suitable for the activity, and that the building has the potential to be residential considering the residential nature of the surrounding area.

Cole asked the public and the commission for comment. Anand said that the building should be designated as Residential/Commercial. Trish Healy asked if the commission had to make the decision this evening. Clarke said that additional conversations on this item are required. Healy said that her desire is to have the building remain commercial and not to have it become residential. Fausel asked for specifics about her reasoning. Healy said that she owns rental property on Baker Street. David Healy said that historically the neighborhood was centered around the Goodwin-Baker Building as its

commercial hub, and that he had concerns about the traffic impacts of residential uses. Clarke clarified the differences between Commercial and Residential/Commercial Districts in terms of uses, and that the allowed uses in the Commercial District would have higher traffic impacts compared to residential uses. Granda said that from his experience on the Selectboard and Planning Commission, he noted that the decrease in demand in commercial spaces is real, and that zoning should enable reasonable use of the property based on the current reality. Reap said that residential uses would probably generate less traffic compared to the current usage of the property.

Fausel discussed the density limitations per the current and proposed zoning. David Healy asked if mixed use was an option and said that mixed use was a preferable option. Reap said that the proposed zoning for Residential/Commercial allows for less units than the current zoning. Clarke asked the commission if it wants to allow for additional units through an additional permitting process.

Cole asked for comments about the uplands section of the Farr property. Clarke said that based on prior meetings, the Farris wanted flexibility to use their property. Anand fielded concerns from nearby business owners about housing in the subject area, and that if the commission were to expand its residential area, the subject area would be the logical choice to place housing. Clarke overviewed the current conditions and uses.

Cole asked the commission if it wanted residential uses in the Commercial District and said that based on previous conversations, it was concluded that the Commercial District should not include residential uses. Reap asked if items could be voted upon during the next meeting.

7. Presentation and Discussion on Richmond Mobil Gas Station Redevelopment Plan

Huseyin Sevincgil overviewed the Richmond Mobil Gas Station project, highlighted that they had considerably scaled back the project scope, and asked the commission on how they should proceed. Cole asked if the mound in the northern part of the property would be removed. Sevincgil said it would depend on the potential impacts to the floodplain, and that impacts to the floodplain would necessitate removing the mound to improve flood storage. Tom Frawley said that a wetlands specialist consultant attended the last meeting, and that the project has received a wetlands permit from the Vermont Department of Environmental Conservation for their previous larger proposal. Frawley said that the project has issues with the definition of "Automobile Service Station" as well as the wetlands buffer. Frawley said that conversations with the town to extend the sewer service line are progressing, that considering the benefits of the project, he hopes that the zoning issues can be addressed, and that their proposal would conform to the industry's standards.

Fausel asked about the floodplain on the property. Sevincgil identified the 306-foot contour, said that further analysis for flood storage is needed, and that their intent today is to receive feedback from the commission. Cole asked for clarification on the buffers. Sevincgil identified the wetland buffers, and clarified the 306-foot contour.

Clarke asked about stormwater management and how the proposed use would differ from the existing use. Frawley discussed food service within the proposed use. Sevincgil said that they will need to look into onsite stormwater management further. Littlefield asked if their project will include restoring the wetland and removing invasives. Frawley said that this is on their list to consider and was identified by the Vermont Department of Environmental Conservation. Anand praised the design. Cole said that he did not see much of a change in use with the proposal and that he has to tease out the buffer encroachment issue.

10. Other Business, Correspondence, and Adjournment

Motion by Reap, seconded by Granda to adjourn the meeting. Voting: unanimous. Motion carried. The meeting adjourned at 9:15 pm.

Respectfully submitted by Ravi Venkataraman, Town Planner

Chat Log

00:32:52 Lisa Miller: I have a question - what was the original intent for creating the accessory structure statute in Richmond? Was it to house relatives, was it to increase affordable housing, was it to increase density, etc?

01:05:23 Joy Reap, Planning Commissioner: CAN WE PUT THIS DOC UP ON SCREEN?

01:05:56 Joy Reap, Planning Commissioner: THANKS

01:42:01 Trish: Thank you for listening to our opinions. Trish and David Healy