

**RICHMOND DEVELOPMENT REVIEW BOARD
REGULAR MEETING
APPROVED MINUTES FOR JUNE 13, 2012 MEETING**

Members Present: David Sunshine, Chair; Brian Werneke, Vice-Chair; Stephen Ackerman, Lori Cohen, Fred Fortune

Members Absent: None

Others Present: Cathleen Gent, Town Planner/Staff to the DRB; Ruth Miller, taping for MMCTV Comcast 15; Patricia Baumann, Jackie Washburn, Ysabel Trujillo, Mark Cassler

Sunshine called the meeting to order at 7:05 p.m.

Public Hearings

1, Town of Richmond (hearing continued) - Application #12-011 for conditional use review for proposed and as-built improvements within the FEMA Special Flood Hazard Area, per Richmond Zoning Regulations, Section 6.8 (Flood Hazard Overlay District) at 203 Bridge Street (BR0203); 286 Bridge Street (BR0286); 430 Bridge Street (BR0430); 431 Bridge Street (BR0431); and the Bridge Street Bridge. BR0203 is within the Residential Commercial zoning district and the other parcels are within the Agricultural/Residential zoning district.

Sunshine reported that the town is still working with FEMA regarding plans for one of the proposed improvements. As a result, the town is requesting that the hearing be continued again.

Motion by Werneke, seconded by Ackerman, to continue the public hearing until August 8, 2012.
Voting: 5 in favor; 0 opposed.

Bernard & Janet Quinn – Application #12-082 for conditional use review per Richmond Zoning Regulations, Section 4.8 (Setback Modifications) to construct a landing and steps within the front setback at 3398 Cochran Road (parcel CO3398) in the Agricultural/Residential zoning district.

Sunshine swore in Patty Baumann, the daughter of Bernard and Janet Quinn. Baumann has been appointed (in writing) to represent the Quinns for the hearing. Baumann described the project, noting that the deck will be placed on top of the existing concrete landing. New footings will be dug and posts will be attached to hold up the side of the deck, which will also be attached to the house. With respect to the portion of the new landing and stairs that are within the front setback, Baumann said that the entire structure is two feet within the front setback. The existing steps are 53 feet from the Cochran Road centerline and there will be an additional area for new steps, which will also be within the front setback. She explained that the new structure will not be any closer to the road than the current landing and steps. Sunshine discussed the provision in the Richmond Zoning Regulations, Section 4.8, which allows the DRB to approve development within the setback if the structure was built prior to the enactment of zoning in 1969. Baumann said that the house was built in 1957.

Sunshine noted that the proposed development is within the FEMA Special Flood Hazard Area, therefore, Section 6.8 of the Richmond Zoning Regulations also applies. Baumann said the new landing and steps will be well anchored, referring to a drawing of the steps which Gent distributed during the hearing. Sunshine noted that the State Department of Environmental Conservation has commented on the project. He referred to an email from Rebecca Pfeiffer, with the Vermont DEC River Management Division, which was distributed by Gent during the hearing. Pfeiffer provided comments regarding the proposed landing and steps, stating that the stairs and landing should be built with materials that are resistant to flood damage and that the landing and stairs be anchored to prevent flotation or collapse during flooding. In response to a question from the DRB, Baumann said that they are using pressure treated wood and anchoring for 4 inch by 4 inch posts, which will be attached to concrete footings with brackets. She noted that the landing will not be covered (no porch).

1 Sunshine opened the hearing to the public. No comments were offered.

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3 Motion by Cohen, seconded by Ackerman, to close the hearing and approve application #12-082.
4 Voting: 5 in favor; 0 opposed; 0 abstentions.

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7 2. MEETING MINUTES - MAY 9, 2012

8 While waiting for the applicant to arrive for the next public hearing, the DRB reviewed the May 9, 2012
9 meeting minutes. Several edits were offered. Motion by Cohen, seconded by Werneke, to approve the
10 minutes as amended. Voting:5 in favor; 0 opposed; 0 abstentions.

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13 3. Barry V. Washburn Family Trust – Application #12-081 for conditional use review per Richmond
14 Zoning Regulations, Section 5.6 (Conditional Use Review) for a proposed change in use from retail to
15 indoor recreation (dance studio) for Unit 1C located at 83 Huntington Road (parcel HU0083) within
16 the Commercial zoning district.

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18 Sunshine swore in Washburn (owner) and Ysabel Trujillo (co-applicant). Sunshine said that this
19 application deals with a change in use of interior space from retail to indoor recreation. He noted that
20 the applicants have requested a waiver to use the site plan that was approved in 1988 when the
21 project was first approved.

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23 Trujillo said that they are proposing a different sign and there will not be any changes to the interior
24 space. She plans to teach dancing classes, including ballet and zumba. She noted that there has
25 already been interest expressed for classes for children, teens, and adults. She said that the hours of
26 operation will be between 8:30 AM and 8:30 PM (i.e., that is when classes will be held).

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28 DRB liaison Ackerman said that he did the site visit and asked about the maximum sizes of classes.
29 Trujillo said that the space, at 42 feet by 19 feet, is restricted and that the largest class size will be for
30 zumba with up to 20 students. She said that, for ballet, there will be about 10-12 students.

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32 Trujillo said the proposed sign is a hanging sign and the size will be consistent with the allowable
33 signs in the Commercial zoning district, which is 10 square feet for a directional sign. She said there
34 will also be a small directional sign which will direct people to additional parking in the back of the
35 building.

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37 Sunshine opened the hearing to the public. Caswell said he thinks the new use is a great idea.

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39 Motion by Werneke, seconded by Cohen, to close the hearing and approve application #12-081.
40 Voting: 5 in favor; 0 opposed; 0 abstentions.

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43 4. DELIBERATIVE SESSION

44 At 7:40 PM, motion by Cohen, seconded by Ackerman, to enter deliberative session. So voted.

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46 At 9:29 PM, motion by Cohen, seconded by Ackerman, to come out of deliberative session. So voted.

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49 5. DRB ACTIONS

50 The DRB took the following actions regarding public hearings which were closed during the May 9,
51 2012 DRB meeting:

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53 Motion by Ackerman, seconded by Werneke, to approve application #12-029 (William Donovan Inc.).
54 Voting: 4 in favor (Sunshine, Werneke, Ackerman, Cohen); 0 opposed; 1 abstention (Fortune).

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56 Motion by Werneke, seconded by Ackerman, to approve application #12-028 (Ian Ryan). Voting: 3 in
57 favor (Sunshine, Ackerman, Werneke); 1 opposed (Cohen); 1 abstention (Fortune), with the condition
58 that the final road agreement is submitted and approved by the Chair.

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Motion by Cohen, seconded by Ackerman, to deny the appeal of the Notice of Zoning Violation per application #12-036 with respect to the concrete barrier which was installed without DRB approval. Voting: 4 in favor of the motion (Sunshine, Werneke, Cohen, Fortune); 1 opposed (Ackerman); 0 abstentions.

Motion by Cohen, seconded by Ackerman, to grant the appeal of the Notice of Zoning Violation per application #12-036 with respect to the testing of robots. Voting: 5 in favor; 0 opposed; 0 abstentions.

Motion by Ackerman, seconded by Fortune, to approve application #12-052 with conditions. Voting: 3 in favor (Werneke, Ackerman, Fortune); 2 opposed (Sunshine, Cohen); 0 abstentions.

6. ADJOURNMENT
At 9:39 PM, Ackerman made a motion, seconded by Cohen to adjourn the meeting. So voted.

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