

**RICHMOND DEVELOPMENT REVIEW BOARD  
 REGULAR MEETING  
 APPROVED MINUTES FOR MAY 14, 2014 MEETING**

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Members Present: David Sunshine, Chair; Anne McLaughlin; Stephen Ackerman, Fred Fortune; Vice-Chair, Mike Donohue, Vice-Chair,  
 Members Absent: Marvin Carpenter (DRB Alternate)  
 Others Present: Clare Rock, Town Planner/Staff to the DRB; Ruth Miller, taping for MMCTV Comcast 15; *see attached list*

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**HEARINGS**

Sunshine called the meeting to order at 7:06pm and opened the Hearing for:

**Alison Lane Anand** – Applications #14-012 & #14-013 for conditional use review for development within the mapped flood hazard area (construction of driveway) & for a final subdivision review for the “Anand Property” 2-lot subdivision (one original lot and one new lot) on a 115-acre parcel located at 3255 Huntington Road (parcel HU3255.a) in the Agricultural Residential Zoning District.

Anand was sworn in by Sunshine.

Anand provided the following information. The driveway is designated as a flood zone, but never experienced flooding. The driveway has been designed to meet the Richmond driveway requirements, and the applicant’s engineer has provided information about the amount of cut and fill required for the driveway to meet the flood hazard requirements. The construction of the newly created driveway to access Lot 1 will not be in the floodplain. The power and other utilities will be buried under ground.

Sunshine stated a correction needs to be made on Final Plat sheet, the “New Lot A” should be revised to read “New Lot 1”.

Jay Schuster, neighbor, stated the concerns previously raised have been addressed. He has not been provided with a copy of the draft shared driveway agreement.

Anand added that once the application is approved the proposed shared driveway agreement will be finalized.

**Motion by Fortune seconded by McLaughlin to close the public hearing and enter into a deliberative session at a later time. All in favor.**

Sunshine opened the following hearing at 7:24pm

**Eden Sand & Gravel Co. Inc.** – Application #14-027 for conditional use review for the continuation of the extraction of earth resources and implementation of a reclamation plan for the sand pit, formerly known as The Livak Sand Pit on Kenyon Road (parcel KR0854) in the Industrial / Commercial and Agricultural Residential Zoning Districts.

Wawrzeniak, the applicant’s representative was sworn in by Sunshine.

Wawrzeniak provided a history of the site on behalf of his client Greg Tatro of Eden Sand and Gravel. Tatro purchased the property in 2013. The gravel pit was originally established in 1938. In 1999 previous owner Livak received local and state approvals for earth extraction. Current permits will be expiring shortly. Wawrzeniak is in the processes of updating state permits to ensure the site doesn’t revert into non compliance status. The current local conditional use permit will expire this

1 year and Wawrzeniak is requesting an amendment to the existing permit to extend the operational  
2 timeframe, provided the landowner to implement the reclamation plan, and undertake some further  
3 extraction to help cover the cost of the reclamation. The impacts and standards outlined within the  
4 1999 ZBA Approval will remain the same, such as there will be no expansion of traffic, and hours of  
5 operation will remain the same and etc.

6  
7 Wawrzeniak described the phasing and associated timeframes as included on the large format  
8 plans. Because the site has been dormant there is some amount of vegetated area which is holding  
9 soils and mitigating some erosion, there are some exposed soils and these areas will be focused on  
10 immediately in the phasing plan. The concrete burden pile will be left on site and buried; it contains  
11 no steel or metal.

12  
13 Currently the existing access is located on Conant's property, as part of this proposal Eden Sand  
14 and Gravel will relocate the entrance. Eden and Sand and Gravel will allow adjoining landowner  
15 Conant to use the new access to access their (Conant) property, unless Conant would like to retain  
16 the existing curb cut for their access.

17  
18 There are two areas of extraction, one will be the 50-60ft berm which will be removed, and a 10-15 ft  
19 berm will remain. Approx 80-90,000 yards of sand will be extracted. Upon completion of the  
20 reclamation plan it is expected that the site will be closer to its natural state with potential for a  
21 residential development.

22  
23 Future plans may include the possibility of realigning Kenyon Road. This plan has been supported by  
24 the Highway Forman and Town engineer. That aspect of the project is not being proposed under this  
25 application.

26  
27 Wawrzeniak is requesting an amendment to the original conditional use approval with the addition of  
28 some new ones, which are listed with in the application cover letter (see Q – U.) Wawrzeniak also  
29 identified an additional component - an area of equipment staging area and stock pile area for  
30 constructing projects. Wawrzeniak also reviewed the conditional use criteria which are applicable to  
31 this project, as listed on the cover letter.

32  
33 Discussion followed including the following:

34 The screening equipment will be powered and there will be no crusher.

35 Wawrzeniak had an informal meeting with the neighbors and Mr Sanders, SB member, was  
36 in favor of the proposal.

37 The trucks will go down Kenyon Road and will not go up Kenyon Road.

38 Extraction will start in 2015.

39 The State has been working with the proposal as the phasing will address some of the  
40 potential violations.

41 The Act 250 application will be submitted this Friday. But has been in discussions with  
42 various agencies for over a month.

43  
44 No further questions from the Board.

45  
46 Motion by Ackerman seconded by Donahue to close the public hearing for application 14-027. All in  
47 favor.

## 48 49 50 **OTHER BUSINESS**

### 51 52 Sketch Plan Review

53  
54 Debra Bell (Trudell Consulting) on behalf of Jeff Atwood – Subdivision Sketch Plan Review:2945  
55 East Main Street and 2949 East Main Street Richmond  
56

1 Sunshine provided an overview of the sketch plan process.

2  
3 Bell provided an overview of the site history and communication with the previous town planner  
4 regarding how to assist the applicant in developing this new phase of the project. The applicant  
5 wishes to build two new units on the site.

6  
7 Bell provided an overview of the current status – the proposed carports have not been constructed.

8  
9 In March 2013 a boundary line adjustment was approved administratively so the increased overall  
10 acreage would provide the property owner with additional density potential = two additional units.

11  
12 Completed engineering demonstrates the wastewater capacity to handle additional sites.

13  
14 The project proposes to move the location of an already approved, but not yet-built unit and  
15 proposes to build two additional units. The three newly constructed units will be single-family units  
16 with garages, additional driveways and parking areas. Drainage swales will help manage run off  
17 from new units. Each unit will have a combination pump and septic tank with one leach field. A new  
18 well will be drilled for the new units.

19  
20 The project would establish a condominium plan, and can provide this draft documentation to the  
21 board for the next step. Existing units are all currently rental units and the next step will be to  
22 develop a homeowners association for future ownership.

23  
24 Bell described landscaping plan. Some new tree planting will filter the views from neighbors, but  
25 will not fully screen. Some new trees are proposed for the interior of the lot for visual interest. The  
26 lighting plan will include fixtures that will be dark sky compliant, no street lights are proposed, and  
27 there are no lights proposed at the carports. There is one 10-15 ft fixture outside the triplex. Bell  
28 described the architectural plans and footprint plan of the new units, they will have clapboard-like  
29 siding.

30  
31 Bell requested to combine preliminary and final subdivision review, Sunshine responded that the  
32 Board would like the request made at the submission of the preliminary subdivision application.

33  
34 Bell has not yet spoken with Fire, Police and Rescue but will intend to. Currently on site there are 8  
35 permitted units, 7 have been constructed, therefore the application will be requesting 2 more units.  
36 Bell mentioned that they have sent the plans out to abutting neighbors, so they've had some  
37 conversations with neighbors.

38  
39 Sunshine suggests checking on the road standards for the number of proposed units within public  
40 works specifications.

41  
42 David Banks, neighbor to the north of the property, stated there is significant ponding on the rear of  
43 the Atwood property and wanted to ensure adequate stormwater plan was presented. Banks also  
44 wants to ensure all setbacks are correct from the boundary line and the easement, to ensure no  
45 proposed future development would encroach upon the easement for his driveway to the north of  
46 the Atwood property. Banks also asked if the Atwoods would consider potential covenants  
47 restricting number of dogs residents are allowed. Dogs from the site have strayed on to neighbors  
48 properties and currently residents walk dogs in the winter along easement to the north. Lastly  
49 Banks inquired about the dumpster capacity (there are currently two dumpsters proposed) and  
50 Banks requests the dumpsters be screened on all sides.

51  
52 Bell indicated that in the planning process stakes will be set to identify all boundaries and that well  
53 water will be pumped into a storage tank for the 3 new units.

54  
55 The Board suggests the applicant provide the stormwater and septic plans to the Highway Forman  
56 and the Town Engineer for review.

1  
2 Next steps: Fill out checklist for Preliminary and Final Subdivision Applications.

3  
4 The Sketch Plan review ended at 8:44pm.

5  
6 **Meeting Minutes: April 30, 2014**

7  
8 Motion by Fortune to approve the April 9, 2014 meeting minutes, seconded by Ackerman. So voted.

9  
10  
11 **Reviewed and finalized written Decisions from April 30, 2014**

12  
13 The Board reviewed and finalized the written Decisions from April 30, 2014

14  
15  
16 **Deliberative Session**

17  
18 Motion by Fortune, seconded by Donohue, to exit deliberative session at 9:50 pm. All in favor.

19  
20 Motion by Fortune, seconded by McLaughlin, to approve Applications #14-012 & #14-013. All in  
21 favor.

22  
23 Motion by Fortune, seconded by Donohue to approve Application #14-027. All in favor.

24  
25  
26 **ADJOURN**

27  
28 Motion by fortune seconded by Ackerman to adjourn. All in favor.

29  
30  
31 Respectfully submitted by Clare Rock, Town Planner/Staff to the DRB