

Richmond Development Review Board
REGULAR Meeting
APPROVED MINUTES FOR FEBRUARY 12, 2020 MEETING

Members Present:	David Sunshine (Chair); Padraic Monks; Roger Pedersen; Alison Anand (DRB alternate)
Members Absent:	Matt Dyer (Vice-Chair); Gabriel Firman
Others Present:	Suzanne Mantegna (ZA/Staff); Ruth Miller for MMCTV Comcast; Dan Noyes; Bryan Currier (O’Leary Burke); Callie Elwald; James Cochran; G. C. Morris

David Sunshine opened the meetings at 7:04 pm.

Mr. Sunshine requested participants sign in and provided an overview of what an interested party is and stated the procedures for the meeting.

Public Hearings:

Noyes Properties, LLC- Application 2020-002 for Preliminary Subdivision Review for a 5-Lot subdivision located at 198 Railroad St, Parcel ID RR0198, in the Village/Commercial (V/C) Zoning District.

Dan Noyes & Bryan Currier sworn in. Mr. Currier states that the parcel is 6.39 acres after a Boundary Line Adjustment with neighboring parcel in 2019. Planning on accessing parcel, which is on a 25-35’ plateau, over a 30’ right-of-way over parcel. No more than a 10% grade. It is in the Village Commercial Zoning District. Designated Village Center is the edge of the original parcel and the new road would be in the Designated Village Center. Extending municipal water, sewer, gas and power off of Railroad St. Planning on underground stormwater system at the top and a gravel wetland at the base of the new road. The total buildout will be 1.3 acres of impervious service. The new lots are bordered on three sides by wetlands and floodplain, the train tracks with the remaining side being Richmond Rescue and the remaining lands of Mr. Noyes.

Mr. Currier addresses Staff Report comments. 1-Permanent easement of 30’ in width that has been approved from the Selectboard. Mr. Sunshine confirms that he received the letter. 2- The Public Road Standards require cul-de-sac or alternate turn-around approved by the Selectboard. The Fire Department has looked at proposed road as drawn and has no problems. 3- The road requires a new name approved by the Selectboard. Applicant has no problem with getting both approvals.

Questions from the board:

Mr. Sunshine asks what name Mr. Noyes is thinking about. Mr. Noyes says it will probably be something train related. Either Boxcar Lane or Whistle-stop Lane.

Mr. Currier continues to address Staff Report comments. 4- Lot 4 is unintentionally created by new right-of-way. It is contiguous with the end of Railroad St. and the sliver of land between Richmond Rescue and new road. No plans for development at this time. Maybe in the future it might be parking. Mr. Sunshine ask if it will be an actual subdivided lot. Mr. Currier replies yes. Mr. Sunshine states that there really isn’t language in the ordinance regarding deferred lot. Asks ZA how it should be addressed. Either marked as Deferred Lot or Undeveloped Lot.

1 Mr. Sunshine says there should be language that any future development proposed on the lot
2 would have to be reviewed by the DRB.

3
4 Mr. Pedersen ask ZA what is the minimum lot size. ZA states 1/3 of an acre. Mr. Currier
5 states that the Site Plan appears to show that the right-of-way touches the Richmond Rescue
6 lot but that the new lot 4 will actually surround three sides of the Richmond Rescue building.
7 Mr. Noyes states that originally wanted to access the parcel from the end of Railroad Street
8 but there were too many obstacles.

9
10 Ms. Anand asks him to clarify what he means. Mr. Currier states that there is a lot of ledge.
11 Mr. Sunshine states that maybe whatever gets built there would need more parking. Mr.
12 Noyes states that Richmond Rescue needs more parking but that is a conversation for another
13 day.

14
15 Mr. Currier continues, addressing comment 5. Mr. Currier has met with Town Water & Sewer
16 and Town Engineer and has already addressed their issues and will do whatever they
17 recommend. Mr. Sunshine asks if the water pipes go under Richmond Rescue/ are they
18 serviced by Town water and sewer. Mr. Currier states that they were extended last year when
19 they completed their addition. Intend to put in a water main since connecting more users.

20
21 Mr. Sunshine asks if gas already goes there. Mr. Currier replies yes, and power as well.

22
23 Number 6- does DRB want a landscaping plan with final application. When they come in for
24 Site Plan application they would submit a landscaping plan then.

25
26 Mr. Pedersen asks if there are wetlands behind the parcel. Mr. Currier confirms wetlands and
27 floodplain to the toe of slope.

28
29 Mr. Monks asks if they will be able to maintain the vegetation between the railroad and lot 3.
30 Mr. Currier replies yes. Mr. Noyes doesn't think that it would be visible from Route 2.

31
32 Questions from public: Mr. G C Morris states that he thinks it will be visible from Route 2.

33
34 Mr. Monks states that the tree line is shielding for the properties across the railroad tracks.
35 Mr. Curriers says that the plateau is relatively cleared of vegetation now. Mr. Noyes states
36 that it would be nice to cut a few trees near the Rescue building for a view of Camel's Hump,
37 but it the DRB doesn't wish them to, they won't. Mr. Monks says that is understandable but
38 should still try to have screening of neighboring parcels. Mr. Currier says that when they came
39 for Sketch someone mentioned that landscaping or shielding should be considered when they
40 come in for Site Plan for Lot 3. Mr. Noyes states that the railroad maintains area around the
41 tracks and cuts trees back as needed. Mr. Monks says that on the top of the bank there were
42 some significantly sized trees.

43
44 Ms. Anand ask if this is in a commercial zone. ZA states that it is in the Village/ Commercial.
45 Ms. Anand asks if Mr. Noyes has any special plans for the lots. Mr. Noyes has someone
46 interested in Lot 1 but might not still be interested since it has been so long.

47
48 Ms. Anand asks what the use of the land is now. Mr. Noyes states that it might have been
49 pasture at one time but local kids have been using for motocross. There was an architectural
50 dig, but didn't find anything. Mr. Monks ask what triggered the dig. Mr. Currier replies the

1 parcel is under Act 250 review. When the Peet's subdivided Church St. development the
2 entire parcel was under Act 250 review.

3
4 Mr. Sunshine states that draft access easement is required for Final.

5
6 Mr. Currier states that has an issue with proposed condition #7- that State Water &
7 Wastewater approval be submitted with final application. Currently 45 days to get approval
8 and would like it to be a condition of final approval. Mr. Sunshine says that the language will
9 probably state something like that State WW approval required prior to a zoning permit being
10 issued.

11
12 Mr. Sunshine asks how long will Act 250 take. Will it be major or minor? Mr. Currier says will
13 probably be minor, but will take several months.

14
15 No more questions from the public or the board. Mr. Monks states that he conducted the site
16 visit.

17
18 Mr. Sunshine asks what type of commercial would be there, would it be retail. Mr. Noyes says
19 there is a business in Town that need to expand.

20
21 Question from the public- Mr. Morris said that he didn't see a lighting plan. Mr. Sunshine says
22 that would be part of a Site Plan. Mr. Morris wondering if would only be handled
23 administratively. ZA states it would require Site Plan approval even if it was an allowed use.

24
25 Mr. Pedersen asks when they would be returning. Mr. Currier states that they are hoping for
26 a quick turn-around.

27
28 Vote to approve Application 2020-002 by Mr. Pedersen, seconded by Mr. Monks. Passed 4-
29 0.

30
31 Mr. Sunshine nominates Mr. Pedersen to be acting chair for the next application. Seconded
32 by Mr. Monks. Passed 4-0.

33
34 Mr. Sunshine recuses himself from the next application.

35
36 **James Cochran, Thomas & Alexis Cochran and Roger & Jennifer Brown-** Application
37 2019-119 for Final Subdivision Review for a 2-lot subdivision (creation of 1 new lot), located
38 at 530 Milkweed Lane, Parcel ID MK0530, in the Agricultural/ Residential Zoning District.
39 Continued from November 13, 2019 meeting.

40
41 James Cochran and Callie Ewald sworn in. James Cochran says that the concept hasn't
42 changed, but hopefully have everything that is required. Ms. Ewald states that they have
43 included well shields, right-of-way easements, septic easements, lower driveway portion
44 shows the new driveway alignment that meets the 12% grade. Mr. Cochran states that they
45 have provided a more official road maintenance agreement and right-of-way agreement.

46
47 Questions from the board:

48
49 Mr. Pedersen asks about the deeds that were not recorded. Ms. Ewald states that the plan is
50 to reapply for a Boundary Line Adjustment and record new deeds. Mr. Pedersen asks ZA if
51 there is a time restriction. ZA replies yes 180 days after BLA permit is approved. They would

1 have been fine if they had received approval in November but the 180 days expired at the end
2 of January. Mr. Pedersen asks if the clocks starts again. ZA explains they have to reapply
3 and then once approved the clock starts again.

4 Mr. Pedersen addresses lot numbering mentioned in Staff Report and have they been
5 addressed. Ms. Ewald replies no but will add to final mylar. Mr. Pedersen confirms with ZA
6 that that will be a condition of their approval.
7

8 Ms. Anand ask where is the existing house at the top of the hill. ZA points out on map. Ms.
9 Anand confirms where the house location for the new lot would be.
10

11 Mr. Pedersen addresses other items from Staff Report. Asks if they have provided a
12 certification that the road conforms to driveway standards. ZA states that will be needed prior
13 to a Certificate of Occupancy. Mr. Pedersen says that the road maintenance agreement and
14 septic agreement should be referenced in the deeds.
15

16 Mr. Sunshine, lawyer for the Applicants, states that he will record the agreements prior to the
17 deeds being recorded.
18

19 Mr. Pedersen asks if Ms. Anand would like to go to deliberative session to review documents.
20 Ms. Anand replies yes.
21

22 Mr. Monks moves to go into deliberative session, seconded by Mr. Pedersen. Passed 3-0.
23

24 Applicants asked to wait in case of questions.
25

26 Returned from deliberative session at 8:20. Mr. Pedersen explains what happened during
27 deliberative session.
28

29 Mr. Monks moves to approve Application 2019-119 with the proposed conditions. Which
30 includes the recordation of plat, deed, agreements, certification of road grade, correction of
31 the address in the two agreements. Seconded by Mr. Pedersen. Passed 3-0-1 (Mr. Sunshine
32 recused)
33

34 Mr. Sunshine rejoins the Board. Mr. Pedersen withdraws as acting chair.
35

36 **Other Business:**
37

38 *Minutes to be approved-* December 11, 2019 passed 4-0 with no changes.
39

40 January 22, 2020- passed 3-0-1 (Sunshine recused) with no changes.
41
42

43 **Adjourn:**

44 Motion to adjourn at 8:30 by Mr. Pedersen. Seconded by Ms. Anand. Passed 4-0
45

46 Respectfully submitted by Suzanne Mantegna, Zoning Administrator/Staff to the DRB