

# Richmond Planning Commission

## Regular Meeting

May 2, 2012

### *Approved Minutes*

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**Members Present:** Gary Bressor (Chair), Lou Borie (Vice-Chair), Mark Fausel, Joe McHugh, Christy Witters

**Members Absent:** Dan Renaud, one vacancy

**Others Present:** Cathleen Gent (Town Planner/Staff to the DRB); Kathy Sikora, Mark Sikora, Jackie Washburn, Brian Washburn, Chris Granda

**7:08 PM** Call to order by the Chair.

**Public Comment** – No public comment.

**Mail** - Gent reviewed the mail.

#### **Meeting Minutes & Town Planner Report**

*Meeting Minutes: For April 4, 2012*

Motion by Borie, seconded by Witters, to approve the minutes. Voting: in favor: 5; opposed: 0; abstentions: 0.

*Meeting Minutes: For April 18, 2012*

Motion by Borie, seconded by McHugh, to approve the minutes. Voting: in favor: 5; opposed: 0; abstentions: 0.

#### *Town Planner Report*

Gent provided brief updates to the April 27, 2012 town planner report.

#### **2012 Richmond Town Plan Project**

*Discuss 4/18 public session – guidance for developing policies and strategies*

The Planning Commission reviewed the minutes from the April 18<sup>th</sup> town plan public session and discussed public comments regarding tools to encourage local agriculture.

- In Richmond, there are enough local foods being produced that there should be an effort to get local foods to families in need, perhaps through the schools, community events, etc. The Planning Commission decided to add a strategy to the agriculture section of the Town Plan for a food system committee to work on this type of activity.

- Solar farm issue – The Planning Commission discussed a policy that solar farms could be placed on pasture land, not cultivated land, so long as the solar farm would not minimize the use of the land for pasture. This policy would apply to commercial scale solar farms and the restriction would not be applicable to residential or single business solar panels.

- For the agriculture section, “less is more” in terms of a specific policy direction.

- Add a food system planning component.

#### *Review conserved land map & other map products*

The Planning Commission discussed the maps being completed for the Municipal Planning Grant and decided the following:

Wind Energy Potential Sites map - requested that the colors for the legend be revised so that there is a clear gradient in color values from Class 1 to Class 5.

Renewable Energy map – The Planning Commission is hesitant to use that map in the town plan because of the outdated data. If the data were updated within the time frame for issuing the new town plan, the Commission would like to use the map.

Agriculture map – The Planning Commission would like to keep the individual farms on this map. Several specific changes were requested.

Fluvial Erosion map – agreed to place this map in the town plan

Wildlife habitat map – decided not to place this map in the town plan due to the lack of specific Richmond data

Water quality map – With the current data on the map, the Planning Commission did not see the utility of including this map in the town plan, however, the board would like to add the Department of Environmental Conservation stormwater map showing “action areas” for the Richmond village area added. Also, Witters agreed to look at adding other stormwater permit data by permit type for the map.

1 Conserved Land map – Gent explained that the conserved land map will not be within the set submitted  
2 for the Municipal Planning Grant and that, because the CCRPC time allocation for the Municipal  
3 Planning Grant and for the year have been expended, no additional work on the map will be done until  
4 July (new fiscal year). The Planning Commission decided to alter the ownership categories and to add  
5 the trails that have been mapped and distributed by the Richmond Trails Committee. Bressor and Borie  
6 will review the map.

7  
8 *Discuss final steps for Municipal Planning Grant*

9 Gent reviewed the timeframe for completing the products and final report for the Municipal Planning  
10 Grant.

11  
12 **Richmond Zoning & Subdivision Regulations**

13 Review the following comment

14 *Public comments*

15 Speaking for the owners of the commercial buildings known as the “Farr Complex,” Kathy Sikora  
16 discussed the following:

- 17 1. Why are the changes in the zoning district being done? The Farr complex area has been in  
18 commercial use for sixty years and is currently zoned as commercial. By putting the area within the  
19 Village Mixed district, the buildings could become residential uses. She said she believes that neither  
20 the buildings nor land lend themselves to a residential use.
- 21 2. Concerned that the area may be included in a “historic district.”
- 22 3. The Planning Commission’s vision of the use of the buildings does not conform with the needs of the  
23 owners. During the past several years, it has been difficult to fill vacancies in the buildings, which  
24 creates financial hardships in light of the fact that expenses related to property taxes, utilities, etc. must  
25 still be covered.
- 26 4. The site plan for the buildings will not change. The owners believe that any use listed as needing a  
27 “site plan” approval should be changed to “permitted”, since there is adequate parking and the mixed  
28 uses have no impact on neighbors. Sikora listed all the uses for the buildings over the 60 years.
- 29 5. Agricultural or farm related items can be sold by permit, but other uses require much more review  
30 (site plan or conditional use). Sikora described the proposed uses that would be allowed in the Village  
31 Business district, but not in the Village Mixed district. She indicated that the uses in the Village Business  
32 district would be a better fit for the Farr Complex buildings.

33  
34 Mark Sakora added that the Farr Complex has adequate parking, which is in short supply in the main  
35 village business area. Jackie Washburn said that, by turning the zoning district into the Village Mixed,  
36 the properties will be strangled. The owners would like to see varied uses that are compatible with  
37 surrounding residences. She asked whether the Farr complex could be zoned separately from the  
38 Village Mixed district. The Washburns would like to convert one building to indoor storage, but the  
39 current and proposed zoning bylaws do not allow for indoor storage, except for within historic buildings.  
40 She added that, if indoor storage is allowed in historic buildings, she thinks there should be a  
41 mechanism to allow for it in other situations, with conditions. Bressor responded that, up until now, the  
42 Planning Commission has tried to keep storage units out of the village area. He acknowledged that the  
43 Farr complex owners are in a different situation in that area and that the Planning Commission will  
44 discuss allowing indoor storage for that area.

45  
46 Kathy Sikora discussed the three uses which are currently allowed for those buildings, namely retail,  
47 wholesale, and light industrial. Gent explained that previous zoning administrators had determined that  
48 those three uses were approved by the zoning board and approvals for any of the three are done  
49 administratively. Sikora noted that, when the Bridge Street bridge was closed, the vacancies began  
50 and that the Farr complex area does not work particularly well for retail. Unleashed works because  
51 people need to get dog food and the physical therapy center is doing well.

52  
53 Jackie Washburn asked what the process is for the Planning Commission to decide about the owners’  
54 request. Bressor said that the Planning Commission is in the process of reviewing all the comments that  
55 have been made about the proposed zoning bylaws and will have another public hearing.

56  
57 Kathy Sikora added that she sees the Goodwin Baker building as being unique, like the Farr complex,  
58 and would hate to see that building become residential. Jackie Washburn provided more information

1 about the indoor storage units, noting that the units will be inside the existing building with both indoor  
2 and outdoor access.

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4 Mark Sikora, Kathy Sikora, Jackie Washburn, and Brian Washburn left at this time.

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6 Following up from the energy policy public session in March, Chris Granda discussed some additional  
7 energy policy ideas. He said that a lot of thinking is going on at the state and national level to  
8 encourage the energy efficiency of existing buildings. He noted that solar electric is very cheap now,  
9 with companies like Sun Common offering great incentives. On the energy efficiency side, he  
10 suggested that the concept of using a home energy score, which is part of the real estate transaction  
11 process, will help everyone understand energy consumption for given buildings. Granda noted that the  
12 home energy score process is not refined yet because some of the programs measure people’s use of  
13 energy, which can vary with behavior. He added that a full scale energy audit can be done for \$500 and  
14 the price is dropping, which will make it possible to develop a home energy score system. Granda then  
15 discussed the PACE Program. Bressor asked if owners have to have an energy audit as part of PACE.  
16 Granda replied that decision has not been made. He recommends that an energy audit be done,  
17 especially if the cost can be reduced to \$300 or less. Diagnostics to confirm energy savings would need  
18 to be done. He added that he is concerned about the issue of trees on neighbor’s property versus  
19 renewable energy facilities and suggested that the Planning Commission create a policy to address  
20 that. Borie said that there will be policies about setbacks in the town plan and that the Planning  
21 Commission will explore the legal aspects of this issue via other states, like California.

22  
23 Granda left at this time.

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25 Gent requested that the Planning Commission review a question that was posed by Cara LaBounty  
26 regarding the conditional use approval for the new mobile home for Mary and Richard Houle at 2666  
27 Cochran Road, which is in the FEMA Special Flood Hazard Area. Gent explained that, for the new  
28 portions of the approved project for a new breezeway and garage expansion, fill is needed and the DRB  
29 included a condition that no fill be added, per Section 6.8.15.m) of the zoning regulations, which  
30 specifies that soil can be moved on a lot or between adjoining lots. LaBounty’s question is whether land  
31 along the Winooski River that was eroded during Tropical Storm Irene (or earlier) could be used to  
32 count toward the compensatory removal of fill from another area in the parcel. The Planning  
33 Commission decided, after discussion, that such a concept does not follow the intent of the regulations  
34 and that it does not account for fluvial geomorphology in terms of the river’s meandering and reshaping.  
35 In summary, the Planning Commission did not support the use of the eroded portion of the riverbank  
36 toward meeting the requirements of Section 6.8.15.m).

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38 *Written comments*

39 The Planning Commission reviewed an email from Richard First, dated April 30<sup>th</sup>, regarding town  
40 notification of net metered projects and proposed language for the town plan related to setbacks.  
41 Regarding the town notification about net metered projects, the Planning Commission noted the  
42 following: the town is not always notified about projects before the Public Service Board (i.e., the PSB  
43 notification process is not foolproof); Front Porch Forum is a good outlet for communicating to the  
44 public, but only 60% of households subscribe to that service. The Planning Commission discussed  
45 placing language in the new town plan to prepare town announcements to supplement the PSB  
46 notifications, using available methods such as web, on-line communications, and other methods. Fausel  
47 noted that the draft zoning and subdivision bylaws, Section 3.8.4 (page 3-37) do include setbacks for  
48 non-net metered projects for wind and solar. Also, Section 3.9 includes maximum height standards for  
49 telecommunications facilities, per Section 3.9.6.

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51 *Discuss schedule*

52 In light of the amount of work, the Planning Commission decided to add two work sessions to review the  
53 draft zoning and subdivision bylaws, on May 23 and May 30.

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55 **Other Business**

56 *Executive Session: Annual staff evaluation*

57 At 9:15 PM, Borie made a motion to go into executive session, seconded by Fausel.  
58 Bressor left the meeting at this time.

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1 Gent left the meeting at 9:20 PM

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4 At 9:32 PM, Fausel made a motion to come out of executive session, seconded by Witters.

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6 **Adjournment**

7 Fausel made a motion to adjourn, seconded by McHugh. So voted. The meeting adjourned at 9:33 PM.

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