

Richmond Planning Commission

Regular Meeting

January 16, 2013

Approved Minutes

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

Members Absent:, one vacancy

Others Present: Cathleen Gent (Town Planner/Staff to the DRB), Ellen Ward, Denise Barnard, Heidi Bormann, Lauck Parke, Amy Lord, Stephanie Douglas-Hughes, Keith Moran, Brett Seymour, Jon Kart

7:03 PM Call to order by the Chair. Fausel noted that the Selectboard has voted to reduce the number of Planning Commission members to five, which will help with being able to achieve a quorum. He added that Lauck Parke has applied to serve on the Commission.

Public Comment

Keith Moran and Brett Seymour briefly introduced themselves. They said they have been talking with Heidi Bormann from the Economic Development Committee about the creamery parcel. They have also spoken with property owner Craig Caswell and owner representative David Raphael. Moran said they are interested in developing a brew pub on the creamery parcel, approximately 3,000 to 4,000 square feet on one floor. He added that they are concerned about the requirement for having two stories in the proposed zoning district. Further discussion was held until the scheduled agenda time for the topic.

Mail - Gent reviewed the mail.

Meeting Minutes & Town Planner Report

Meeting Minutes: For December 19, 2012

One amendment was offered. Motion by Borie, seconded by Bressor, to approve the minutes as amended. Voting: 4 in favor; 0 opposed; 0 abstentions.

Town Planner Report

Gent provided brief updates to the Town Planner Report. The Planning Commission discussed the engineering plan for the Bridge Street streetscape plan and Gent said the final report will be presented to the town in late February. Bressor asked whether a retaining wall will be necessary for the congregational church property. Based on a review of the plan, the Commission did not think a wall is proposed there, but Gent said she will look into that question. The Planning Commission also briefly discussed whether they have time to meet during a meeting in February or March with the Chittenden County Regional Planning Commission to learn more about the ECOS long-term plan. The Commission decided to discuss the schedule again at the end of tonight's meeting.

Natural Resources Inventory Project Update

Jon Kart joined the Planning Commission for the discussion. Kart said he represents the Richmond sub-committee which is part of the Chittenden Uplands Forests, Wildlife, and Communities Committee. The Planning Commission briefly reviewed Gent's memos regarding the request for the use of the Richmond Conservation Reserve Fund and Kart confirmed that about \$3,100 would help provide a solid inventory for the Planning Commissioners to make additional decisions when updating land use bylaws. The question for this evening is whether the Planning Commission wishes to move forward with applying to the Conservation Commission for the use of the Richmond Conservation Reserve Funds. Kart said that the funds would be used for the field verification of the geo-spatial analysis and coordination with land owners for Richmond only. The process would involve the preparation of the application under the name of the Planning Commission, which would be presented to the Conservation Commission. If the Conservation Commission decides the proposal should move forward, the application will be reviewed by the Selectboard. Borie said that he supports the use of the funds for this project, as it meets criteria 3 of the Conservation Reserve Fund policy to help the town meet natural resources planning goals. Fausel requested that property owners be contacted directly and Kart responded that will be done. Motion by Borie, seconded by Witters, to apply for an amount not to exceed \$3,200 for this project. Voting: 4 in favor; 0 opposed; 0 abstentions.

Richmond Zoning Regulations

Creamery Parcel

The Planning Commission welcomed members of the Economic Development Committee and Moran and Seymour to discuss the potential changes to the zoning regulations with respect to the creamery parcel. There was a general discussion about how this parcel is valuable for commercial uses. Fausel

1 said that the Planning Commission had wanted more commercial, but that the owner pushed for more
 2 residential, so that a compromise was adopted into the proposed bylaws that were defeated, with a
 3 higher concentration of residential being allowed. Fausel said that the Commission has met with David
 4 Raphael, the owner’s representative, and agreed to move forward with the proposal that was prepared
 5 in the fall. He added that he thinks it is unfair to go back and change the bylaws, unless there is a
 6 groundswell of public support for reducing the allowed portion of residential. Additional discussion took
 7 place and Fausel pointed out that, under the current zoning regulations, the parcel is zoned for
 8 commercial. Gent briefly discussed the time frame for the preparation of the draft bylaw changes, noting
 9 that the Planning Commission plans to have a draft document by March. Witters said that one of the
 10 factors in moving forward quickly is that Anne O’Brien and the Senior Center Committee want to move
 11 forward with plans for developing a senior center on the creamery parcel. Bressor noted that the Senior
 12 Center could move forward under the current zoning, but that the developer is not willing to break off
 13 just that piece of the property.

14
 15 Moran and Seymour spoke next. They discussed their idea for a brew pub and that they are looking for
 16 3,000 to 4,000 square feet toward the front of the property for better visibility and traffic. Their
 17 preference is for the brew pub to be on one floor. They discussed the parcel on Jolina Court
 18 immediately across from the Sonoma Station restaurant. Building on that site would require a longer,
 19 skinnier building. Gent and Commission members pointed out there may be problems with meeting the
 20 setbacks and lot coverage, even if the building could be considered as an existing non-conforming
 21 structure. Seymour said they might be able to do something further back on the parcel, if there was
 22 enough suitable commercial in the area. They would not want to be tucked next to a senior center and
 23 low-income housing without much other commercial activity. Bormann showed the latest plan from the
 24 owner, which shows the concept of the building layouts. Fausel said the Planning Commission will have
 25 to look at which zoning district the Jolina Court parcel would be in, the two story requirement, and the
 26 directional sign at the end of Jolina Court, which is not currently in the modified draft bylaws. Gent
 27 clarified the standards for a PUD in the Residential Commercial and Village Commercial zoning
 28 districts. Bormann suggested that the Economic Development Committee host a meeting with David
 29 Raphael to discuss the commercial/residential analysis of the property. Fausel said that the Planning
 30 Commission is moving forward with its work using the proposed Village Mixed zoning district standards,
 31 so any changes from that should be presented soon. Moran said he will talk again with David Raphael
 32 about the next steps to see if they will move forward with the brew pub idea. Bormann will get a listers
 33 card for the Jolina Court property to look at the measurements of the old building.

34
 35 Gent recapped the three “fast-track” sets of changes to the zoning bylaws, which pertain to the
 36 creamery parcel, parking in the business block, and the Flood Hazard Overlay District.

37
 38 Barnard asked whether money from the Conservation Reserve Fund might be available for a parking
 39 facility in the village. Borie recommended that a good first step would be to review the criteria in the
 40 Conservation Reserve Fund policy document to see if a parking lot would be consistent.

41
 42 *Section 6.8 – Flood Hazard Overlay District*

43 At 8:20 PM, the Planning Commission began its review of the draft set of changes for Section 6.8,
 44 Flood Hazard Overlay District and made the following decisions:

- 45 - Section 6.8.1.b) – added, “With the exception of specified exempt activities in Section 6.8.9,...”
- 46 - Section 6.8.4
 - 47 - Contents -- *[For purposes of Section 6.8, the following definition applies.]* Contents are
 - 48 personal items that are not built into the structure and may include items such as a washing
 - 49 machine, tumble dryer, dishwasher, refrigerator, freezer, microwave, electrical appliance,
 - 50 carpet, floor covering, curtains, or blinds.
 - 51 - Historic Structure – decided not to make any changes to this definition
 - 52 - Maintenance – Routine care or upkeep of a structure, driveway, or other areas.
 - 53 - Special Flood Hazard Area – added “or FEMA Special Flood Hazard Area”
 - 54 - Substantial Improvement – decided to keep “or which results in an expansion of greater than
 - 55 25% of the existing Gross Floor Area”
- 56 - Section 6.8.5.a) and b) – revised to remove the reference to all lands outside of the FEMA Special
- 57 Flood Hazard Area but within 100 feet of the outside edge of the FEMA Special Flood Hazard Area.
- 58 Section 6.8.6.a) through d) – Revised language to make clarify the jurisdictional determination process.
- 59 Gent will revise accordingly.

1 Section 6.8.7 - Revised to remove reference to 100 foot area outside of the FEMA Special Flood
2 Hazard Area and deleted the address for the National Flood Insurance Program, instead using a
3 reference to the FEMA web site only.

4 Section 6.8.8 – Added a sentence to front of paragraph, “If any portion of a principal structure (including
5 a deck or porch) is within the FEMA Special Flood Hazard Area, the entire structure is considered to be
6 within the FEMA Special Flood Hazard Area.” Gent confirmed that this is a FEMA standard for principal
7 structures. The Planning Commission asked Gent to find out what is required under the state model
8 ordinance for accessory structures and whether any other standards are in place for the Community
9 Rating System.

10 Section 6.8.9 – Exempt Activities – accepted the recommended new language with minor changes.
11 Gent will research what types of flood-proofing requirements there are for agricultural exempt structures
12 from the State of Vermont.

13 Section 6.8.10 – Permitted Development by Administrative Officer Approval – accepted the
14 recommended language, with minor modifications. The Planning Commission asked Gent to determine
15 how the state model ordinance regulates residential play structures.

16 Section 6.8.11 – Conditional Use Review by the DRB – The Planning Commission began its review, but
17 did not complete the review of this section. Gent will find out why FEMA requires review of recreational
18 vehicles.

19
20 The Planning Commission will begin its review at the next meeting with Section 6.8.11.

21
22 The Commission decided to have a special work session on January 30th at 7 PM to continue its review
23 of the draft zoning sections. The Commission also decided not to meet with the CCRPC about the
24 ECOS long-term plan. Gent will provide the ECOS document that was provided to the Selectboard to
25 the Planning Commission for individual review by members.

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27
28 **Adjournment**

29 **Borie made a motion to adjourn, seconded by Bressor. So voted. The meeting adjourned at 9:36 PM.**

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31
32 Respectfully submitted by Cathleen Gent, Town Planner/Staff to the DRB