

**RICHMOND SELECTBOARD
SPECIAL HEARING
RICHMOND ZONING REGULATIONS
September 10, 2012 MINUTES**

Members Present: Chris Granda, Chair; Neil Boyden; Amy Lord; Ashley Lucht
 Absent: June Heston
 Others Present: Geoffrey Urbanik, Town Administrator; Cathleen Gent, Town Planner; John Rankin; Gary Bressor, Planning Commission Chair; Brad Elliott; Bonitta Steuer; Jon Kart; Rod West; Mark Fausel; Marcy Harding; Joe McHugh and Nick Irwin-Testa was present to videotape the meeting for MMCTV Channel 15.

Chair Granda called the meeting to order at 6:30 p.m.

The Selectboard held a Public Hearing to review the proposed draft Zoning and Subdivision Regulations. This was the second formal public hearing on the proposal to amend the current regulations.

Chair Granda reviewed the prior public hearing and asked Planning Commission Gary Bressor to explain the changes approved by the Selectboard following that hearing.

Mr. Bressor presented a report from the Planning Commission regarding the changes made by the Selectboard following the August 21st hearing. By law the Planning Commission had to review those changes and report on the compatibility of those changes to the Town Plan. The report concluded that the changes were acceptable.

The changes made were:

2.1.6 Uses by Zoning District Table

Line 2.1.6-72 – Recreation, Outdoor – Class 2 – add “C” (conditional use) to the R-10 zoning district

2.15 Flood Hazard Overlay District

2.15.3 Other Provisions

DELETE THE FOLLOWING:

- c) The provisions of Section 2.15 do not supersede the Town of Richmond Zoning Regulations: Interim Flood Hazard Overlay District Bylaw Amendments, as adopted on November 7, 2011.

2.15.12 Exempt Activities

The following are exempt from regulation under Section 2.15:

- a)** Any maintenance or repairs to any area (including principal structures and accessory structures) located outside the FEMA Special Flood Hazard Area but within 100 feet of the outside edge of the FEMA Special Flood Hazard Area.
- b)** Maintenance or repairs to existing driveways, parking areas, culverts, stormwater drainage facilities, bridges or retaining walls, with a total cost less than \$1,000 in value.
- c)** Re-roofing with no alterations to the roofline.
- d)** Repairs to or replacement of interior walls, wallboard, plaster, flooring, paneling, cabinets, countertops, foundation with a total cost less than \$1,000.
- e)** Repairs to or replacement of existing plumbing, electrical and HVAC equipment, including ducting, boiler, furnaces, residential fuel tanks, water heaters, sinks, fixtures, toilets, showers, sump pumps, tubs, light fixtures and ceiling fans with a total cost less than \$1,000.

- 1 f) Repairs to or replacement of existing doors and windows with a total cost less than
2 \$1,000.
- 3 g) Repairs to decks, porches, detached garages, sheds, gazebos, fencing, and swing sets
4 with a total cost less than \$1,000.
- 5 h) The removal of a building or other Structure in whole or in part;
- 6 i) Maintenance of existing roads,
- 7 j) Silvicultural (forestry) activities conducted in accordance with Vermont Department of Forest
8 and Parks Acceptable Management Practices; and
- 9 k) Agricultural activities conducted in accordance with Vermont Agency of Agriculture, Food &
10 Market's Accepted Agricultural Practice (AAP) Rules. Prior to the construction of Farm
11 Structures, the farmer must notify the Zoning Administrative Officer in writing of the
12 proposed activity, including the setbacks from adjoining property lines and road rights-of-
13 way. The notice must contain a sketch of the proposed Structure including setbacks
14 approved by the Secretary of Vermont Agency of Agriculture, Food & Markets.
- 15 l) Replacement, repair, addition, or removal of the contents of a structure.
- 16 m) Lawns and gardens with no new net fill.
- 17 n) Mailboxes used for delivery of US Postal mail.

18
19
20
21 3.2.1 Design

- 22 a) **Applicability** – Pursuant to the authority established in the Act (4416), the following
23 standards of this section (3.2.1) shall apply to the construction of any new principal structure
24 with a footprint of 3,000 square feet or more, excluding a detached single-family or two-
25 family dwelling or exempt farm structure.

26
27
28 *Typographical Corrections*

29 **2.1.6 Uses by Zoning District Table**

30 Line 2.1.6-71 – Recreation, Outdoor – Class 1 – delete “U” from “CU” in the MHP zoning district

31
32 **4.2.2 Certificate of Occupancy**

33 Section b.iii. – Delete “Error! Reference source not found” and replace with “Section 3.8.1”

34
35 Chair Granda opened the floor for public comments, but there were none.

36
37 Chair Granda asked for Selectboard discussion on any action to be taken.

38
39 The Administrator read the following draft motion:

40
41 *Motion to approve the amendments to the Richmond Zoning and Subdivision Regulations as presented*
42 *and amended at the August 21, 2012 public hearing, with no further amendments after the September*
43 *10, 2012 public hearing; and further move these amendments to be decided by the voters on November*
44 *6, 2012.*

45
46 *The question before the voters will be:*

47
48 *“Shall the voters approve the Richmond Zoning and Subdivision Regulations as amended and*
49 *accepted by the Richmond Selectboard on September 10, 2012?”*

50
51 Jon Kart suggested that the Chair close the public hearing portion.

1 Ms. Lord offered a motion to close the public hearing and was seconded by Ms. Lucht and the motion
2 carried 4-0.

3
4 Mr. Boyden offered a motion to approve the amendments to the Richmond Zoning and Subdivision
5 Regulations as presented and amended at the August 21, 2012 public hearing, with no further
6 amendments after the September 10, 2012 public hearing; and further move these amendments to be
7 decided by the voters on November 6, 2012.

8
9 The question before the voters will be:

10
11 “Shall the voters approve the Richmond Zoning and Subdivision Regulations as amended and
12 accepted by the Richmond Selectboard on September 10, 2012?”

13
14 Ms. Lord seconded the motion.

15
16 Marcy Harding asked if the Australian Ballot decision was the next item, and Chair Granda said yes.

17
18 Chair Granda re-read the motion. Ms. Harding asked if the Selectboard was approving this, or sending
19 it to the voters.

20
21 Jon Kart said this was a two-step motion. The Selectboard needed to generally approve this, and then
22 send to the voters. The Administrator agreed that this was the process to be taken.

23
24 Chair Granda said that the Selectboard needed to approve the final version of the regulations, but it
25 was always meant that this would be approved (or not) by a meaningful vote of the public.

26
27 Ms. Harding suggested the motion be slightly modified to show that.

28
29 Ms. Lucht suggested adding wording to show that the Selectboard was accepting the changes.

30
31 Mr. Boyden amended his motion to read: to approve the amendments and accept the Richmond
32 Zoning and Subdivision Regulations as presented and amended at the August 21, 2012 public hearing,
33 with no further amendments after the September 10, 2012 public hearing; and further move these
34 amendments to be decided by the voters on November 6, 2012.

35
36 The question before the voters will be:

37
38 “Shall the voters approve the Richmond Zoning and Subdivision Regulations as amended and
39 accepted by the Richmond Selectboard on September 10, 2012?”

40
41 Ms. Lord seconded the amended motion.

42
43 With no further questions or comments, Chair Granda called the vote and the motion carried 4-0.

44
45 Gary Bressor asked if all four members of the Selectboard were in favor of, or approved of the new
46 document, to which all replied they were in favor of the new regulations.

47 **Adjourn**

48 Motion by Ms. Lucht to adjourn the meeting at 6:50 p.m. Seconded by Ms. Lord. So voted.