

Richmond Development Review Board  
 REGULAR Meeting  
 UNAPPROVED MINUTES FOR JULY 8, 2015 MEETING

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Members Present: David Sunshine, Chair; Mike Donahue, Cara LaBounty, Ian Bender, Matthew Dyer; Roger Pedersen  
 Others Present: Clare Rock, Town Planner; Ruth Miller for MMCTV Comcast 15; see attached list

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Site visit at Willis Hill property, RT 2 for Application # 15-045

The following people met at the Willis Hill Property at 6pm for a site visit:

DRB members: David Sunshine, Chair; Mike Donahue, Vice-Chair; Cara LaBounty; Ian Bender; Matthew Dyer; Roger Pedersen

RLT representatives: Dori Barton (Arrowwood Environmental); Dean Grover (Grover Engineering); Gary Bressor, Lou Borie; Wright Preston: Jeremy Hoff

Adjoining landowners and members of the public: Bob Reap; Linda Parent; Spike Robinson; George Gifford; Dennis Gile

Staff: Clare Rock, Town Planner; Niels Rinehart, Zoning Administrator

Richmond Land Trust (RLT) representative provided an overview of the project. Attendees walked the mowed area which is being proposed for the driveway and parking lot. Attendees asked clarifying questions regarding the slope of the driveway, the size of the parking area, the vegetation which will be cleared and questioned an iron pipe marker located within the proposed driveway.

The meeting reconvened at the Town Center Meeting Room at 7pm.

Sunshine opened the meeting for the following:

Continuation of public hearing for Willis Hill property, RT 2 - Application # 15-045, Applicant Richmond Land Trust for Conditional Use and Site Plan Review for an outdoor recreation facility/park (including the construction of a parking lot) on the Willis Hill property, parcel WM0560 within the Gateway Commercial Zoning District.

Sunshine sworn in representatives of RLT.

Jeremy Hoff, RLT, stated he submitted the supplemental information which was requested following the hearing on June 10, 2015. Sunshine asked about the process of obtaining an access permit from the state, in which Sunshine understood that while RLT has received the letter of Intent, RLT would still need to get final approval from the State and that the Town/Cemetery would have to be a co-applicant with the RLT on that final application as they will be using the Cemetery's existing access off Route 2. The RLT was unaware of the co-applicant aspect. Rock reported a recently conversation with James Clancy, VTrans, in which Clancy mentioned the Town/Cemetery would need to be a co-applicant.

Hoff added that if additional screening would be required to provide year round screening of the parking lot from RT 2 RLT would not be opposed to providing this.

Discussion followed about the proposed width of the driveway. The RLT proposed driveway is 18' compared to the width of the Cemetery driveway which was developed in 1971. Discussion also included the reasoning on why a culvert was not being proposed for the base on swale which runs parallel to the Cemetery driveway. The RLT consultant responded that no culvert was proposed as the watershed analysis demonstrated limited run off to constitute a culvert.

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2 The RLT consultants provided a description of the proposed rock sandwich which will allow for wetland water  
3 seepage under the driveway. This is based upon a recommendation from the wetlands specialist.  
4

5 Board members and the applicant representatives discussed the slope of the driveway. The applicant is  
6 proposing a 15% grade and based upon a technical analysis by the RLT consultant, if the driveway was  
7 designed with a lesser grade of 12% the project would have a greater negative impact on the surrounding  
8 wetlands. Discussion followed about an alternative approach to achieving the 12% grade.  
9

10 The issue of maintenance and insurance was discussed. RLT does carry liability insurance.  
11

12 Discussion followed about the plans meeting the VTrans B-71 standards for access construction. The RLT  
13 consulting engineer will stamp the plans with his professional stamp certifying the plans meet the state and  
14 local standards.  
15

16 Discussion followed about the presences of water in the ditch in the area of the proposed driveway. The RLT's  
17 wetland consultant stated this is not a stream, it is part of the delineated wetland.  
18

19 The proposed fence was discussed, RLT is proposing an agricultural fence. Discussion followed about whether  
20 a temporary fence was considered. RLT felt a temporary fence such as snow fence would not be aesthetically  
21 compatible.  
22

23 A question was raised about the iron pipe marker which was observed in the mown area of the proposed  
24 driveway. RLT does not know the origin of the marker. It was identified on the most recent survey of the  
25 property.  
26

27 Donahue made a motion to close the public hearing and to enter into deliberative session for application # 15-  
28 045, seconded by Bender. All in favor. So voted.  
29

30 Sunshine opened the following hearing for:  
31

32 343 Palmer Road – Application #15-054, Applicant Patricia Gilbert for Preliminary Subdivision  
33 Review for a 4-lot subdivision located at parcel #PA0343 located within the  
34 Agricultural/Residential Zoning District.  
35

36 Sunshine sworn in Doug Goulette, engineer and applicant representative and property owner Patti Gilbert.  
37

38 Goulette provided an overview of the 4-lot subdivision. A class III town road provides access from the  
39 Hinesburg town line to the access point for the proposed subdivision. The road then becomes a class IV town  
40 road. The project proposes using approximately 400' of the class IV town road and will then then spilt off from  
41 the class IV town road. The project proposes to upgrade the first 400' feet of road to meet the Richmond rural  
42 road specifications. The road will then narrow after the second proposed driveway and will transition into a  
43 shared driveway to access the remaining 2 house sites. The Town of Hinesburg maintains the road based upon  
44 an informal agreement with Richmond. The people who live at the end of Palmer Road within the Town of  
45 Richmond had a driveway agreement which was drafted in 1995 which outlines the property owner  
46 responsibilities to maintain the Richmond portion of the road.  
47

48 Goulette stated the proposed road would be at about a 10% grade and also discussed the location of the  
49 property owner's current septic system and the location of the proposed house site septic systems. The project  
50 has received a State Waste Water Permit. None of the proposed roads or driveways cross any wetlands.  
51

52 Goulette described the stormwater management plan which will be comprised of stone lined and grass ditches  
53 plus culverts which are marked on the submitted plans.  
54

55 Mike Donahue and Ian Bender were the DRB liaisons and were accompanied by Clare Rock on a site earlier  
56 this afternoon. They walked with the property owner to the area where the septic systems are being proposed.

The applicant is not seeking any waivers and will not need a state general permit for storm water. The project is under Act 250 jurisdiction and will require an amendment. The Act 250 application has been submitted and is currently under review.

Don Palmer referred to past driveway agreement and inquired about an agreement for payment for new driveways. The DRB Chair stated that was a civil matter and was not under the purview of this subdivision review.

Lauck Parke asked about the location of the class IV right of way and asked about the proposed drainage for the area where the proposed improved road will intersect with the unimproved town right-of-way. Goulette referenced the plan and indicated a new culvert is being proposed to convey any surface flow from down the unimproved right-of-way.

Mike Foote presented a letter and photos to the Board and voiced concern about the applicant’s activities within the wetlands which abut both their properties. Foote also raised concerns about the proposed subdivision and it’s impact on the wetlands. Goulette identified the wetlands on the subdivision map and also identified the wetlands buffer. The proposed house sites are not located within the wetlands buffer.

Discussion followed about the alleged actions of the applicant in regard to the wetlands and the beaver which occupied the wetlands.

The DRB identified the following items which should be submitted with the Final Subdivision application:

- Copies of new road agreement which will outline the responsibilities of the current residents who live within Richmond at the end of Palmer Road or a letter from Richmond Highway Foreman Pete Gosslin which outlines the property owner’s responsibilities vs the town responsibilities for maintaining the end of Palmer Road;
- A road/driveway agreement for the 4 new house sites;
- Copies of the draft waste water easements;
- Copies of draft covenants for nay tree cutting restrictions or building design standards.

LaBounty made a motion to close the public hearing and to enter into deliberative session for application # 15-054, seconded by Donahue. All in favor. So voted.

**OTHER BUSINESS**

▪ **Approve Meeting Minutes – June 10, 2015**

LaBounty made a motion to approve the minutes of June 10, 2015, seconded by Dyer. All in favor. So voted.

▪ **Staff Updates**

Rock stated that the PC is going through the process of reviewing the list of technical zoning changes. And that the Sylvan Knoll (Kenyon Road) subdivision which was presented at the last meeting has intentions to submit an application for Preliminary and Final Subdivision approval for the August DRB meeting.

▪ **Deliberative Session**

LaBounty made a motion to enter into Deliberative discussion for application #15-045 and application # 15-054, seconded by Donahue. All in favor. So voted.

The DRB exited deliberative session.

Donahue made a motion to approve application #15-045 for the RLT property with a waiver from the parking lot paving requirement, with a waiver from the exterior lighting requirements, with a waiver from the 12% driveway slope requirement; and with the following conditions:

1 The RLT shall submit a landscaping plan to the DRB for approval prior to the issuance of a Zoning Permit  
2 which proposes adequate year-round screening of the parking area from Route 2;  
3 The width of the driveway shall be at least 20' wide;  
4 The slope of the driveway shall not exceed 15%;  
5 The RLT shall maintain the integrity of gravel surface of the driveway and parking lot on a regular basis and  
6 ensure no erosion of surface material onto the shared access area or onto Route 2;  
7 Seconded by Dyer, three voted in favor, 2 opposed. Motion carries.

8  
9 Donahue made a motion to approve application #15-054 for the Gilbert preliminary subdivision with the  
10 following conditions:

11 Copies of new road agreement which will outline the responsibilities of the current residents who live within  
12 Richmond at the end of Palmer Road or a letter from Richmond Highway Foreman Pete Gosslin which  
13 outlines the property owner's responsibilities vs the town responsibilities for maintaining the end of Palmer  
14 Road;

15 A road/driveway agreement for the 4 new house sites;

16 Copies of the draft waste water easements;

17 Copies of draft covenants for nay tree cutting restrictions or building design standards;

18 Copy of the approved access permit;

19 Letters from Fire, Rescue and Police outlining their ability to serve the proposed subdivision;

20 A map delineating each house sites contiguous area of 10,000 sq ft as per Section 2.5.2 of the Richmond  
21 Zoning regulations;

22 Inclusion of the wetlands delineation on the final subdivision plat;

23 Seconded by Dyer. All in favor. So voted.

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25  
26 **ADJOURN**

27 LaBounty made a motion to adjourn seconded by Donahue. All in favor. So voted.

28  
29 Respectfully submitted by Clare Rock, Town Planner/Staff to the DRB