

Town of Richmond
Planning Commission Meeting
AGENDA

Wednesday, April 7th, 2021, 7:00 PM

Due to restrictions in place for COVID-19, and in accordance to Act 92, **this meeting will be held by login online and conference call only**. You do not need a computer to attend this meeting. You may use the "Join By Phone" number to call from a cell phone or landline. When prompted, enter the meeting ID provided below to join by phone. For additional information and accommodations to improve the accessibility of this meeting, please contact Ravi Venkataraman at 802-434-2430 or at rvenkataraman@richmondvt.gov.

Join Zoom Meeting: <https://us02web.zoom.us/j/88419874605>

Meeting ID: 884 1987 4605

Join by phone: (929) 205-6099

1. Welcome, sign in and troubleshooting (7:00 pm)
2. Adjustments to the Agenda
3. Public Comment for non-agenda items
4. Approval of Minutes
 - March 17, 2021
5. Proposed zoning amendments for Nonconforming Lots and State Permit References (7:05 pm)
6. Discussion on Building Energy Standards (7:15 pm)
7. Overview of Zoning for Affordable Housing Project (8:00 pm)
8. Debrief on Village Residential Neighborhoods south of the Winooski River and Round Church Corners (8:05 pm)
9. Other Business, Correspondence, and Adjournment

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4. Approval of Minutes

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5. Proposed zoning amendments for Nonconforming Lots and State Permit References

- Page 7: Memo on draft zoning amendments
- Page 9: Draft zoning regarding state permit references
- Page 10: Draft zoning on nonconforming lots

6. Discussion on Building Energy Standards

- Page 11: Administrative Procedures - Economic Impact Analysis
- Page 17: Strengthening Energy Code Compliance - A proposal to include in the Richmond zoning ordinance, prepared by Chris Granda and Jeff Forward
- On standalone documents:
 - RBES Handbook (Appendix A has Act 250 Additional Requirements):
https://publicservice.vermont.gov/sites/dps/files/documents/2020-VT_Residential_Energy_Code_Handbook_v8.pdf
 - Efficiency Vermont Brochure on Residential New Construction Programs:
<https://www.efficiencyvermont.com/Media/Default/docs/services/brochures/efficiency-vermont-residential-new-construction-specifications-incentives.pdf>

7. Overview of Zoning for Affordable Housing Project

- On standalone document:
 - PlaceSense Reponse to the Request for Proposals for Zoning for Affordable Housing Study

8. Debrief on Village Residential Neighborhoods south of the Winooski River and Round Church Corners

- Page 22: Discussion Document for Village Residential Neighborhoods South, prepared by Virginia Clarke
- Page 24: Comparison of Village Residential Neighborhoods South and Agricultural/Residential District, prepared by Virginia Clarke
- Page 25: Memo to the Richmond Planning Commission from Cathleen Gent on Thompson Road Survey Results
- Page 33: Letter from Gary Bressor to the Richmond Planning Commission
- Page 36: Ideas for proposed zoning from Gary Bressor
- On standalone document:
 - Draft Zoning Map with acreages identified

Richmond Planning Commission
REGULAR MEETING MINUTES FOR March 17, 2021

Members Present:	Virginia Clarke, Chris Granda, Alison Anand (Joined at 7:18 pm), Mark Fausel, Caitlin Littlefield, Jake Kornfeld, Joy Reap
Members Absent:	Chris Cole
Others Present:	Ravi Venkataraman (Town Planner/Staff), Gary Bressor, Jean Bressor, Rose Feenan, Allen Knowles, Gerald Feenan, Fran Huntoon, Alan Franchot, Judy Rosovsky, Trish Healy, Victor Rossi, Dan Johnson

1. Welcome and troubleshooting

Virginia Clarke called the meeting to order at 7:02 pm. Clarke said that she may have technical difficulties in the middle of the meeting due to an unstable internet connection. Chris Granda volunteered to serve as Chair in case Clarke disconnects from the meeting.

2. Adjustments to the Agenda

Granda said he would like to confirm that energy code discussions are included in the next meeting agenda. Clarke said that this can be addressed during the Other Business item.

3. Public Comment for non-agenda items

Cathleen Gent said she had a comment for an agenda item and would like to make sure her comment is addressed. Clarke said that the intent of tonight's meeting was for the Planning Commission to discuss findings from the Community Outreach meetings. Gent asked that her comments be stated prior to deliberations. Granda recommended that time be allocated now for public comment for agenda items, to make sure the public has the opportunity to speak. Clarke agreed. Gent read a letter from residents of Thompson Road, requesting that the Planning Commission consider including Thompson Road in the Village Residential Neighborhoods-South District, not requiring sidewalks due to existing constraints, and clarifying the list of allowable uses to prevent undue adverse impacts from chain commercial stores.

4. Approval of Minutes

Motion by Brian Tellstone, seconded by Granda to approve the February 17, 2021 meeting minutes. Voting: unanimous. Motion carried.

Motion by Joy Reap, seconded by Caitlin Littlefield to approve the March 3, 2021 meeting minutes. Voting: 7-0 (Tellstone abstained). Motion carried.

5. Debrief on Community Outreach Work Plan

Clarke presented a draft schedule for the process going forward. Granda said he was concerned about how the schedule does not include non-zoning topics, because the Planning Commission had expressed interest in pursuing non-zoning topics. Venkataraman said that he created the schedule so that the commission had a sense of the process going forward, and that the schedule is malleable based on the commission's priorities and needs. Gerald Feenan asked if this was the first time the commission saw this schedule and if this schedule was publicly available prior to the meeting. Clarke said that the schedule was a discussion tool. Feenan said he would like this information prior to the meeting in order to provide substantive comments. Littlefield said that this schedule was provided in the packet prior to the meeting

and the packet was posted on the Town website before the meeting. Jake Kornfeld was concerned about the spacing of the meetings because he was unsure about the amount of discussion per meeting and suggested meetings in between to discuss non-zoning items. Venkataraman said that he doesn't expect much comment for the final subtasks under each task, but that he agrees with Granda and Kornfeld that the meetings should be more spaced out to allow for more discussion and noticing so that the public is aware of these meetings. Clarke said that the time spent on the second meetings per task will depend on whether commissioners are prepared to discuss items during meetings. Venkataraman said that he'll modify the schedule, and that he will be setting up a web page that outlines the dates of future meetings and discussion items, similar to the Community Outreach Work Plan, so that the public is aware of future discussions. Fausel suggested combining particular public hearings into singular meetings, for efficiency and so that the public would not have to attend every Planning Commission meeting. Clarke said that that made sense. Venkataraman agreed, based on the number of discussion meetings anticipated.

6. Debrief on Village Residential Neighborhoods Discussion

Clarke overviewed the possible new zoning districts, and asked if the residential neighborhoods north of the Winooski River and south of the Winooski River similar or dissimilar, as this would determine whether the commission should create separate residential zoning districts north of the Winooski River and south of the Winooski River. Gary Bressor asked why the houses at the end of Church Street are in the Village Residential Neighborhoods District but not its surround areas. Venkataraman said that he thought the houses would want the same rights as the rest of the residences in the Village Residential Neighborhoods, that the land surrounding the houses are protected, but that the property could be split among the districts in a multitude of ways. Clarke asked if Bressor had a recommendation. Bressor said he did not, but said it was odd that the houses were in one district and the land surround them were in a different district. Venkataraman said that Bressor brought up a good point and that it warrants discussion. Clarke asked if the draft zoning document was in line with the comments the commission received. Fausel said that the commission should clarify that the proposed zoning is a modification of the existing High Density Residential District. Clarke said that the current discussion should focus on whether this district should be solely for residential uses. Littlefield made the distinction that in the High Density Residential District, multifamily dwelling uses are allowed, and that in the proposed zoning, multifamily dwelling uses would not be allowed, and highlighted the value of diverse housing types. Clarke asked if multifamily dwelling uses should be allowed in the district. Littlefield said that she did not have a strong preference at this point, that she found prior comments about renters to be discouraging, and that the town plan calls for the creation of diverse housing types in the village. Clarke said that renting should be encouraged as homeowners usually begin as renters, that there are other housing configurations outside of multifamily dwellings that would create rentals, and that rental housing is an equity issue. Granda said that keeping the status quo of the neighborhoods is in line with the Town Plan, with the exception of density, that the zoning should enable the housing to adapt to the change with the community needs to remain sustainable, and that the town should make sure renters have opportunities. Granda said that he would be in favor of allowing up to four-unit multifamily dwellings. Kornfeld concurred. Granda said that limiting the dwelling types in the neighborhood could push property values up and prevent homeownership. Fausel said that he is against allowing multifamily dwellings based on the public comments and the fact that the neighborhoods are already fully built out, and that additional units can be built out along the major thoroughfares. Reap asked for clarity on which lots could accommodate more density on Baker Street and Tilden Avenue, said that she wouldn't want to force development in the Village Residential Neighborhoods, and that the comments about renters was disheartening. Littlefield added that the culture towards renters needs to fundamentally change. Granda said that there is no firm line between renters and homeowners, and that the comments about renters caught him by surprise. Alison Anand said that the commission should consider standards and regulations for home occupations. Trish Healy talked of her experiences renting out a duplex on Baker Street, and said that in her neighborhood, there aren't many lots that could accommodate a three- or four-unit building. Anand asked if the commission has received any comments in favor of three- or four-unit multifamily dwelling uses. Healy said no. Reap asked if Baker Street and Tilden Street should be in a separate district. Reap asked about Lemroy Court.

Venkataraman clarified that the district lines are in line with the potential lot lines, but the land on the corner of East Main Street and Lemroy Court and the land south of Lemroy Court are considered one lot, owned by Harrington's. Clarke said that the end of Lemroy Court is considered a neighborhood. Littlefield said that even with adjustments to the language, there aren't many residents who would support higher density housing. Clarke recommended changes to the draft purpose statement. Clarke asked the commission about uses that are allowed per the High Density Residential District but not allowed per the Village Residential Neighborhoods District. Fausel recommended making parks and schools allowable uses. Venkataraman said that with multifamily dwellings, even if the commission were to allow it, developing a multifamily dwelling on a smaller lot would not be feasible due to the lot coverage limits, and that the commission could create separate lot size and density allowances to allow smaller lots to retain the existing nature and larger lots to be developed further. Clarke called for a discussion on uses that are listed in the High Density Residential District and not listed in the Village Residential Neighborhoods District. Anand said there should be standards for home occupations and cottage industries, and that additional consideration is needed. Reap called for redrawing the map to allow for higher intensity uses along Jericho Road. Fausel agreed. Clarke asked about West Main Street. Anand asked about public comments received regarding the lots along West Main Street. Clarke said that the commission did receive comments from one of the residents along that portion of the West Main Street corridor, who expressed interest in the Village Residential Neighborhoods District. Venkataraman said that he heard from Heidi Bormann, who expressed interest about retaining the developability of her parcel along West Main Street located in the Gateway District. Clarke said the question is whether that lot should be part of the Village or the Gateway in general. Fausel said that that apartment building does not appear in character to be a part of the village. Reap and Healy recalled a number of comments from the public that called for keeping the portion of the corridor residential and as-is. Clarke asked if the commission had any other comments about the map and the uses. Fausel recommended reaching out to Dr. Parker regarding his doctor's office on the corner of Jericho Road and Burnett Court, and making sure that schools and parks are allowed in the Village Residential Neighborhoods. Clarke said that extending the Residential/Commercial District up Jericho Road would bring existing commercial uses into conformance. Fausel said that extending the Residential/Commercial District up Jericho Road would allow for the developability and viability of certain larger parcels. Clarke called for looking at the areas south of the Winooski River. Fausel asked what the extent of water/sewer is on Cochran Road. Venkataraman identified it on the proposed zoning map. Clarke asked if the lots along Cochran Road should be in the Village Residential Neighborhoods as shown in the map, or left as-is. Fausel suggested aligning the Village Residential Neighborhoods with water/sewer coverage. Clarke asked if the neighborhoods south of the river needs to be in a different district with different standards, and if the Round Church District should have design standards. Fausel recommended having different Village Residential Neighborhoods districts and design standards for the Round Church District. Anand asked which lots on the map are an acre, for a sense of scale. Clarke asked Gent the size of her property. Gent said that her lot straddles Thompson Road, the portion west of Thompson Road is a third of an acre, and the portion east of Thompson Road is a quarter of an acre. Anand asked if Gent wanted the lots north of hers to be included in the Village Residential Neighborhoods per her letter. Gent said she and her neighbors wanted two of the lots to be part of the Village Residential Neighborhoods. Fausel asked for clarification regarding lot size. Gent said that previous discussions stated the possible lot size at half an acre and the neighbors found this reasonable, and that many portions of the neighborhood have wetlands or steep slopes. Bressor identified lots on the map that are approximately an acre, and clarified areas that are developable in the map. Granda called for a time check. Clarke concluded the discussions on the item. Feenan said that he wanted the commission to make sure that access to the Residential/Commercial areas on the Farr property would not be possible via Thompson Road.

7. Discussion on possible zoning amendments for Accessory Dwelling Units, Nonconforming Lots, State Permit References, Certificates of Occupancy, Variances, and Wetlands

Clarke recommended discussing this item at the next meeting. Venkataraman requested a short discussion as a primer, that he will be presenting two to three zoning amendments per meeting from this

point forward in order to clear up the legalese and make the implementation of the Planning Commission's intent possible. Venkataraman added that for Certificates of Occupancy, the Zoning Administrator currently has to inspect every deck that is built, which he says is not good use of the limited amount of time the Zoning Administrator has per week. Reap agreed that most of the suggested zoning amendments can be quickly reviewed and approved, and suggested that it be brought at the beginning of the next meeting. Clarke asked that the commission read through the materials Venkataraman has provided in the packet for the next meeting. Venkataraman said that he will be bringing to the commission additional amendments per meeting for the next few months. Granda suggested making this item a standing item at the beginning of future meetings. Anand and Clarke agreed.

8. Other Business, Correspondence, and Adjournment

Granda asked for confirmation to discuss energy standards during the next two planning commission meetings for 45 minutes each, and said that the Richmond Climate Action Committee (RCAC) and Town Energy Coordinator Jeff Forward have agreed to speak at the upcoming meeting. Reap was concerned about how Granda's and Venkataraman's items would detract from the ongoing discussions on zoning districts. Anand said that the commission has had a history of not finishing tasks. Clarke asked for additional details from Granda. Granda said that he and the RCAC will present details and options. Clarke said she is in favor of postponing discussions on energy standards to focus on the zoning districts discussion. Granda said he brought this item to Venkataraman's and Cole's attention to schedule for future meetings and acted upon that understanding. Littlefield said she would appreciate discussions on the energy standards to diversify the workflow of the Planning Commission. Clarke agreed to include discussions on energy standards during the April 7th meeting.

Motion by Granda, seconded by Fausel to adjourn the meeting. Voting: unanimous. Motion carried. The meeting adjourned at 9:20 pm.

Respectfully submitted by Ravi Venkataraman, Town Planner

Comments in the Chat:

19:01:12 From Jean Bressor to Everyone : Jean and Gary Bressor

19:01:14 From Cathleen Gent to Everyone : Cathleen Gent

19:02:41 From Fran Huntoon (she/her) to Everyone : Fran Huntoon

19:02:59 From Alan Pierson Franchot to Everyone : Alan Franchot

19:03:08 From Allen Knowles to Everyone : Allen Knowles, 112 E Main St

19:03:09 From Gerald Feenan to Everyone : Gerald Feenan

19:03:17 From Gerald Feenan to Everyone : Rose Feenan

19:35:35 From Joy Reap, Planning Commissioner to Richmond Town Host(Direct Message) : Ravi can we look at the maps?

20:20:32 From Caitlin Littlefield, Planning Commissioner to Everyone : Mark, to directly respond to your comment, at the Tilden/Baker meeting one individual was clear that they felt renters did not contribute or seek or engage in the neighborhood. But otherwise, it's very encouraging how much Richmond residents tend to welcome renters.

20:51:15 From Fran Huntoon (she/her) to Everyone : 1/3 acre

21:00:14 From Joy Reap, Planning Commissioner to Everyone : I know we need to move on, but I'd like to make one more comment about the area south of the bridge. I don't think the parcels on Brooklyn Court that aren't visible from Bridge St should be in the church viewshed zone.

TO: Planning Commission

FROM: Ravi Venkataraman, Town Planner

DATE: April 2, 2021

SUBJECT: Discussion on Zoning Amendments

Enclosed are draft zoning regulations regarding the following topics:

- Nonconforming Lots
- State Permit References

Provided below is the rationale for the changes.

Nonconforming Lots

State statutes for both accessory dwelling unit allowances and nonconforming lots were changed in October 2020 with Act 179. Act 179 with the pertinent sections highlighted is enclosed. But here's the gist:

- State statute was changed to reduce local regulatory restrictions on accessory dwelling units (including Conditional Use Review controls), and to increase size allowances.
- Statute was also changed to allow the development lots that are smaller than the minimum lot size for the district the lot is located within, if the lot is served by or is able to connect to municipal water and sewer service.

The changes in statute are reflected in the draft zoning regulations.

State Permit References

During CCRPC Senior Planner Taylor Newton's tenure as DRB Coordinator for the town, he brought to my attention that the references in the zoning regulations to require state permits with any local permits (both zoning permits and DRB permits) is problematic. Processes for state permits--including state water/wastewater permits, stormwater permits, wetlands permits, and Act 250 permits--and local permits operate independent from each other, sometimes operating parallel but never consequentially of each other. In most cases, town zoning administrators do not have the ability to require state permits in order to issue local permits.

However, per 24 V.S.A. §4414, towns do have some ability to utilize state water and wastewater permits to regulate development. Specifically:

A municipality may adopt bylaws that:

(i) prohibit the initiation of construction under a zoning permit unless and until a wastewater and potable water supply permit is issued under 10 V.S.A. chapter 64; or

(ii) establish an application process for a zoning or subdivision permit, under which an applicant may submit a permit application for municipal review, and the municipality may condition the issuance of a final permit upon issuance of a wastewater and potable water supply permit under 10 V.S.A. chapter 64.

The current State Wastewater System and Potable Water Supply Rules provides clarification on 24 V.S.A. §4414 (I've underlined the portions relevant to the Planning Commission):

(b) Municipalities may continue to have ordinances or bylaws that do not establish technical standards, for example, ordinances or bylaws that:

(1) are not specifically regulating potable water supplies or wastewater systems but rather regulating development in general (e.g., setbacks);

(2) require submission to the municipality of copies of plans and documents used to obtain a state permit under these Rules;

(3) require a certificate of occupancy that is based on full compliance with a state permit issued under these Rules;

(4) require notice of, and have the option to observe, any soil testing such as the digging of test pits conducted in support of a permit application;

(5) require notice of, and have the option to observe, construction of a permitted wastewater system or potable water supply;

(6) determine where connections can be made to wastewater treatment facilities and public water systems; and

(7) require time of sale inspections.

Based on this information, I agree with Taylor that the zoning regulations references to state permits are unenforceable and needs to be amended.

Adding to this, a Certificate of Occupancy is a local permit (not a zoning permit per se, but still a local permit), and would be considered the final permit in a permitting process. Requiring a state water/wastewater permit with a certificate of occupancy application is not common in the zoning regulations in nearby municipalities.

Recommendations for Action

For the draft language for nonconforming lots and state permit references, I recommend that you move to warn a public hearing for May 5, 2021.

To facilitate action, I have prepared the following draft motion:

I, _____, move to warn a public hearing for May 5, 2021 on the amendments to the Richmond Zoning Regulations Sections 3.8.5, 4.6, 5.2.1, 5.6.2, 5.6.3, and 5.8.

State permit references

3.8.5 Other Requirements Applicable to Lots in the MHP District

~~d) State Approval of Mobile Home Parks—No Zoning Permit may be issued for Land Development within a mobile home park unless satisfactory evidence is produced to the DRB that all applicable state laws and regulations relating to Land Development have been met.~~

5.2.1 [Application, Fees, Reimbursement for Technical Review]

~~d) State Permits - All required state permits shall be a part of and made a condition of each local permit. Unless otherwise required, state permits may be obtained after local permits. In no case shall a project or use commence without all necessary state water and wastewater and local permits.~~

5.6.2 [Conditional Use Review Specific Standards]

~~d) Applicable state permits for water supply and sewage disposal shall have been obtained, and any other applicable state permits, before the use commences.~~

~~e) d) ...~~

~~f) e) ...~~

~~g) f) ...~~

~~h) g) ...~~

~~i) h) ...~~

~~j) i) ...~~

~~k) j) ...~~

5.6.3 Performance Standards

~~i) All uses shall comply with all Federal and State laws and regulations for the use, storage, hauling and disposal of hazardous materials and wastes.~~

~~j) i)...~~

5.8 Boundary Adjustments

~~5.8.4 State Permits—All state permits must be approved prior to submission of application and state permit numbers must be included on the application.~~

~~5.8.5 5.8.4 New Lot Configuration~~

~~5.8.6 5.8.5 Appeals~~

4.6 Nonconforming Lots

4.6.1 Existing Small Lots - ~~In accordance with the Act [§4412(2)], a~~Any lot that is legally subdivided, is in individual and separate and non-affiliated ownership from surrounding properties; ~~that is legally~~ in existence on June X, 2021 may be developed for the purposes permitted in the district in which it is located, with exception to lots as described in Section 4.6.1.1, even though the small lot no longer conforms to the minimum lot size requirements of the respective district the lot is located ~~on the Effective Date of any Richmond Bylaw may be developed for the purposes permitted in the Zoning District in which the lot is located, even though the lot does not conform to minimum lot area requirements of the Zoning District.~~

4.6.1.1. For existing small lots not served by and able to connect to municipal sewer and water and service, land development may be permitted if said existing small lots have one of the following dimensional requirements

- a) At least one-eighth (1/8) acre in area; or
- b) A width or depth dimension of at least 40 feet.

~~. Notwithstanding this exception to minimum lot area requirements, no Zoning Permit shall be issued for Land Development on an existing small lot unless such Land Development complies with all other provisions of these Zoning Regulations.~~

Administrative Procedures – Economic Impact Analysis

Instructions:

In completing the economic impact analysis, an agency analyzes and evaluates the anticipated costs and benefits to be expected from adoption of the rule; estimates the costs and benefits for each category of people enterprises and government entities affected by the rule; compares alternatives to adopting the rule; and explains their analysis concluding that rulemaking is the most appropriate method of achieving the regulatory purpose.

Rules affecting or regulating schools or school districts must include cost implications to local school districts and taxpayers in the impact statement, a clear statement of associated costs, and consideration of alternatives to the rule to reduce or ameliorate costs to local school districts while still achieving the objectives of the rule (see 3 V.S.A. § 832b for details).

Rules affecting small businesses (excluding impacts incidental to the purchase and payment of goods and services by the State or an agency thereof), must include ways that a business can reduce the cost or burden of compliance or an explanation of why the agency determines that such evaluation isn't appropriate, and an evaluation of creative, innovative or flexible methods of compliance that would not significantly impair the effectiveness of the rule or increase the risk to the health, safety, or welfare of the public or those affected by the rule.

1. TITLE OF RULE FILING:

Vermont Residential Building Energy Standards (RBES)

2. ADOPTING AGENCY:

Department of Public Service

3. CATEGORY OF AFFECTED PARTIES:

LIST CATEGORIES OF PEOPLE, ENTERPRISES, AND GOVERNMENTAL ENTITIES POTENTIALLY AFFECTED BY THE ADOPTION OF THIS RULE AND THE ESTIMATED COSTS AND BENEFITS ANTICIPATED:

The substantive changes to be implemented by this rule in comparison to the existing statute are listed below along with their impacts on each category of affected parties.

Home Buyers

Economic Impact Analysis

Standard Code

While the cost of constructing an average Vermont home will increase with the new requirements in the 2019 RBES, the resulting energy savings will more than offset those increases, as the information below demonstrates.

Average Annual Weighted Savings \$537

Improvement Package Costs \$5,031

Simple Payback (years) 9.4

Return on Investment 11%

Annual Increased Mortgage Payment \$309

Positive Cash Flow \$228

For the average new Vermont home, the Standard Code improvements from the 2019 RBES compared to the 2015 RBES will result in \$537/year energy cost savings. The incremental cost to achieve these savings will be about \$5,031. This represents a 9.4-year payback or 11% return on investment. If financed in a 30-year mortgage at 4.5% interest, the annual increase in mortgage payments would be \$309, but with \$537/year savings, the home buyer would realize \$228 in positive cash flow. The energy improvements more than pay for themselves.

The new “package plus points” approach included in the 2019 RBES allows for significant flexibility for builders in complying with the code. While the 2015 RBES and previous versions required builders to pick from a set of five “prescriptive packages”, the new “package plus points” approach requires builders to select from one of four base packages of insulation and fenestration requirements, and then to choose from a list of more than 20 efficiency options to arrive at a target number of points based on house size. The larger the home, the more points the builder would need to acquire. At the same time, this approach rewards smaller homes by requiring fewer points, which will cost less to install.

A blower door air leakage testing by a certified professional is now required for all new homes (this was just required for the stretch code in the 2015 RBES). This will add about \$200-\$300 to the cost of a new home but will ensure that homes are constructed to the required tightness levels, drafts will be minimized to increase occupant comfort, building moisture damage through air leakage will be minimized and energy savings will be maximized. A survey of building performance professionals in Vermont found more than 100 qualified testers

Economic Impact Analysis

throughout the state had access to blower doors to conduct the air leakage testing. Air leakage reduction is one of the most cost-effective improvements in homes, resulting in significant energy cost savings.

Fenestration (window and door) upgrades to meet the 2019 RBES may cost in the \$1,000 to \$1,500 range, insulation R-value increases may cost \$100 - \$300, an increased percent of high-efficacy lamps may add about \$20, and then measures from the points list could include an upgraded heating system (\$500), pre-drywall air leakage testing (\$250), solar-ready construction (\$500), low-flow water fixtures (\$200), a hot water recirculation system (\$1,000) and more efficient water heater (\$4,000).

For multifamily developments of 10 or more dwelling units, there is a requirement of one electric vehicle charging outlet (Level 1 (120V) or Level 2 (240 V)) adjacent to a parking space for buildings with 10 to 25 parking spaces. One additional EV charging outlet for another parking space is required for buildings with 26 to 50 parking spaces and for every 25 parking spots thereafter. The cost on average is expected to be \$35 per dwelling unit.

All together this package could add about \$5,000 to the cost of a typical new Vermont home, but will result in over \$500 per year in energy cost savings. As stated above, if financed, the annual cost savings will more than offset the incremental mortgage cost.

Stretch Code

The Stretch Code applies to all Act 250 development projects and is also available for municipalities that choose to adopt a higher energy standard. While the Stretch Code has more stringent energy efficiency requirements, the resulting energy savings are significantly greater than the Standard Code, as the information below demonstrates.

Average Annual Weighted Savings \$731

Improvement Package Costs \$10,037

Simple Payback (years) 13.7

Return on Investment 7%

Annual Increased Mortgage Payment \$616

Positive Cash Flow \$114

For the average new Vermont home complying with the Stretch Code, the improvements from the 2019 RBES compared to the 2015 RBES will result in \$731/year energy cost savings. The incremental cost to achieve these savings will be about \$10,000. This represents a 13.7-year payback or 7% return on investment. If financed in a 30-year mortgage at 4.5% interest, the annual increase in mortgage payments would be \$616, but with \$731/year savings, the home buyer would realize \$114 in positive cash flow. Like with the Standard Code, the Stretch Code energy improvements also more than pay for themselves.

Energy improvement measures in addition to those noted above to meet the Standard Code would include higher insulation R-values that could add \$1,000-\$1,400 in cost, a fully ducted heat recovery ventilation system to provide fresh air throughout the house while exhausting stale air for about \$3,500 to \$4,000. With a few additional point items, the incremental cost of the Stretch Code home over the Standard Code home would be about \$5,000, for a total improvement cost relative to the 2015 RBES Standard Code of about \$10,000. However, as pointed out above, this incremental cost will be paid for with energy savings. If financed as part of the mortgage, the annual cost savings will more than cover the cost of these improvements and still provide more than \$100 in positive cash flow.

Electric Vehicle (EV) Charging Capabilities. As described above, both Standard code and Stretch code require multifamily developments of 10 or more dwelling units to have a prescribed number of Level 1 (120V) or Level 2 (240 V) EV charger-equipped parking spaces (one EV charging space for multifamily buildings with 10 to 25 parking spaces, one additional EV charging space for buildings with 26 to 50 parking spaces, etc.). However for Stretch code, in addition to that requirement, if a Level 1 charging outlet is provided, that parking space must also be "Level 2 ready." For single family Stretch Code, one accessible Level 1 charging socket is required.

This provision will add a very small cost for single family homes since providing a 120V Level 1 socket in a garage or next to a driveway is standard practice. For multifamily the EV charging requirement cost on average is expected to be \$35 per dwelling unit. The cost of the multifamily stretch code requirement for "Level 2 ready" parking spaces is negligible, since the primary difference between Level 1 and "Level 2 ready" is the provision of extra space in the electrical panel for 240 V circuits which may or may not require a larger electric panel. Assuming that many of these multifamily buildings will provide Level 2 charging infrastructure by choice, the number of parking spaces which will need to be "Level 2 ready" under stretch code is small and the cost of those upgrades when spread over the large

Economic Impact Analysis

number of new construction units in a given year will be very small. These requirements will ensure that these housing projects are ready to accept electric vehicles as they become more commonplace.

Solar Ready. Stretch Code requires that each project consider a “solar ready” zone for the building. This means that the roof is engineered to hold solar panels, designed to maximize the roof area available for solar panels, that there is a means of running wire through a conduit to the electric service panel and that there is room left on the panel for circuit breakers for a future solar system. The costs of complying could be a few hundred dollars but will provide significant savings if the homeowner wants to add solar PV panels in the future.

4. IMPACT ON SCHOOLS:

INDICATE ANY IMPACT THAT THE RULE WILL HAVE ON PUBLIC EDUCATION, PUBLIC SCHOOLS, LOCAL SCHOOL DISTRICTS AND/OR TAXPAYERS CLEARLY STATING ANY ASSOCIATED COSTS:

No impact, as school buildings are not covered under RBES.

5. ALTERNATIVES: *CONSIDERATION OF ALTERNATIVES TO THE RULE TO REDUCE OR AMELIORATE COSTS TO LOCAL SCHOOL DISTRICTS WHILE STILL ACHIEVING THE OBJECTIVE OF THE RULE.*

N/A

6. IMPACT ON SMALL BUSINESSES:

INDICATE ANY IMPACT THAT THE RULE WILL HAVE ON SMALL BUSINESSES (EXCLUDING IMPACTS INCIDENTAL TO THE PURCHASE AND PAYMENT OF GOODS AND SERVICES BY THE STATE OR AN AGENCY THEREOF):

No impact, as small businesses are not covered under RBES.

7. SMALL BUSINESS COMPLIANCE: *EXPLAIN WAYS A BUSINESS CAN REDUCE THE COST/BURDEN OF COMPLIANCE OR AN EXPLANATION OF WHY THE AGENCY DETERMINES THAT SUCH EVALUATION ISN'T APPROPRIATE.* N/A

8. COMPARISON:

COMPARE THE IMPACT OF THE RULE WITH THE ECONOMIC IMPACT OF OTHER ALTERNATIVES TO THE RULE, INCLUDING NO RULE ON THE SUBJECT OR A RULE HAVING SEPARATE REQUIREMENTS FOR SMALL BUSINESS:

An alternative to this rule would be to adopt the IECC 2018 code as is. The up-front cost of this alternative would likely be less than the proposed rule, though the energy savings would be lower, resulting in a higher cost to the homeowner in the long run through added energy costs. Adopting no rule would mean

Economic Impact Analysis

significant lost opportunities with each home being built if those additional savings weren't captured through an improved energy code.

9. SUFFICIENCY: *EXPLAIN THE SUFFICIENCY OF THIS ECONOMIC IMPACT ANALYSIS.*

The cost - benefit analysis underlying this economic impact statement was prepared by the Department's contractor and has been extensively reviewed by stakeholders and experts including home builders, architects, developers, and affordable housing advocates. Feedback from these stakeholders and experts was incorporated into the estimates presented here.

STRENGTHENING ENERGY CODE COMPLIANCE – *A proposal to include in the Richmond zoning ordinance*

Vermont requires all residential construction (new, renovations, additions, etc.) to comply with the state energy code – the Residential Building Energy Standards (RBES). This mandated code should result in energy efficient buildings which are also durable and healthy. **Energy use for heating and cooling buildings is the second largest source of Vermont’s greenhouse gas (GHG) emissions.** These standards are an essential tool to meet Richmond’s goals and are aligned with national efficiency standards. In addition, by ensuring that homes are built using sound building science principles, **they protect homeowners from issues** like mold, mildew, and rot, and **protect builders from the associated liability.**

Unfortunately, statewide the RBES has a poor level of compliance (declining in compliance from 76% to 66%, 2009 code to 2011 code, based on the last study completed by the Department of Public Service). RBES has since been updated in 2015 and again in 2020, so compliance has likely declined even further.

There are several reasons why compliance is poor:

- **Compliance relies on self-certification** by builders that their projects meet the current energy code, but there are no checks in place to verify that they have done so.
- The code requires builders to file a certificate outlining energy code compliance with the municipality and DPS at the conclusion of construction, but there is **no verification process in place for receipt of the compliance certificates** at the town or state level, nor do local officials have the expertise to evaluate the certificates.
- **Building science has grown increasingly complex**, with sophisticated systems to ensure the energy efficiency and durability of the building and the health of its occupants. It is difficult for builders to prioritize keeping up with the energy code when compliance is not enforced.

Consequences:

- **Builders that comply are seeing their bids undercut** by those who are not meeting the standards.
- **Richmond residents are not getting the level of efficiency, durability and safety** in their homes **that the state requires and is promising them.**
- **Homes that don’t meet the standards cost more to operate and repair**, creating a long-term financial burden on residents/owners and degrading the assessed values used to fund the municipal budget.
- **Substandard homes contribute more to GHG emissions than they would if they complied with RBES.**

Proposed zoning regulation solution:

Require that builders use the Home Energy Rating method to comply with RBES for the new construction of single-family residences (this excludes alterations to existing homes including additions, renovations, weatherization, etc.). RBES includes three compliance pathway options: 1. a prescriptive method, 2. a REScheck Software method, and 3. a Home Energy Rating method. The first two options rely entirely on self-certification; without building inspectors, there is no way of verifying that RBES has been met with these two options. **Unlike the first two options, the third option, the Home Energy Rating method,** requires a third-party, certified Home Energy Rating System (HERS) Rater to verify that RBES has been met.

[HERS](#) is a nationally recognized system for inspecting and calculating a home’s energy performance and currently one of the accepted RBES compliance paths. **Requiring this compliance pathway for new construction would:**

- Ensure that independent, highly qualified professionals are certifying that construction in Richmond is meeting the mandatory state energy code.
- Improve the quality of construction in Richmond and ensure that residents are getting what they pay for – an energy-efficient, environmentally-friendly, healthy, durable home with lower operating costs.
- Provide building science expertise to support builders from the start of a project to the finish.
- Encourage a more flexible, less prescription method for builders to meet RBES.
- Ensure that builders that regularly meet RBES aren’t being undercut by those that do not.
- Help Richmond meet its energy and climate goals.

Requiring the HERS compliance pathway achieves the above objectives **without placing additional burden on town staff or the municipality.**

- Town staff would not be expected to take on additional responsibility. The applicable staff person simply verifies an RBES certificate and final documentation from a certified HERS Rater has been filed.
- The town does not need to hire a building inspector.

Finally, the cost of compliance would be a **small investment** by the homeowner in the long-term performance, energy-efficiency, durability, and health of their home.

- An average fee for a HERS Rater ranges from \$1,500 – \$2,500, which is small compared to the total cost of a new home.
- Better yet, the builder or homeowner can comply by enrolling in [Efficiency Vermont’s \(EVT\) Residential New Construction program](#). EVT’s above-code program includes HERS rating project support, verification, and RBES documentation, all at **no cost with a cash incentive upon completion.**
- Code compliance results in long-term operating savings. An average home built to the 2020 RBES will save \$537/year on energy alone compared to the 2015 RBES – these savings are more than enough to offset the higher construction costs on an annual basis.¹

Suggested Zoning Regulation Language

The Vermont Residential Building Energy Standards (RBES) - 30 V.S.A. § 51 is the energy code for all residential buildings 3 stories or less above grade in Vermont. This code is designed to protect consumers against health and safety hazards associated with improper construction methods, lower energy bills, and reduce greenhouse gas emissions. The RBES sets three compliance pathways: a “Prescriptive Method”; a “REScheck Software Method”; and a “Home Energy Rating Method.” In order to strengthen compliance with State law, all new construction that is required to meet RBES under 30 V.S.A § 51, with the exception of Alterations, Repairs, Changes in Space Conditioning, and Changes in Use, as defined in the RBES, must comply using the “Home Energy Rating Method”. Evidence of a

¹ Vermont Residential Building Energy Standards (RBES). Rule 19P — 041. Vermont Public Service Department. October 25, 2018.

preliminary Home Energy Rating System (HERS) rating from a certified HERS rater demonstrating compliance with the RBES shall be a condition of a zoning permit. A condition of a Certificate of Occupancy shall be evidence of a final HERS rating from a certified HERS rater demonstrating compliance with the RBES.

ADDITIONAL REQUIREMENTS

Rationale

To prevent the worst impacts of climate change it is clear that we must reduce energy consumption, eliminate the use of fossil fuels for heat and transportation and produce electricity from renewable energy. The technologies exist today to heat our homes efficiently and affordably with electricity, to provide for our transportation needs with electric vehicles, and to generate much of the electricity needed from solar power generation integrated into our homes. These technologies continue to improve rapidly and drop in price.

It is far less expensive to build a home with electro-technologies like EV charging and solar energy in mind than to add the necessary wiring and distribution panel space later. Any new home built in Richmond in 2021 should still be in use in 2050, and by then all Vermont homes will need to be fully electric to comply with the Global Warming Solutions Act. Homes built today should be ready for that future.

Already, any new Vermont home that requires an Act 250 permit must have electrical service that can accommodate EV charging and the addition of a photovoltaic array. These commonsense requirements add little cost at the time of construction and prepare the home for the future. **Richmond should require that all new homes built also be ready for EV charging and solar energy in addition to the RBES HERS compliance path outlined above.** These additional requirements are outlined in Appendix A in the December 2020 RBES Handbook for Act 250 projects with the exception that the Package Plus Points, the HERS Compliance Method and the Air Leakage Testing requirements are covered in the base RBES code described above.

PROPOSED LANGUAGE FOR ADDITIONAL REQUIREMENTS

Section A. Electric Vehicle (EV) Charging For single family housing, one Level 1 (see below) parking space is required with an accessible socket. For multifamily developments of 10 or more dwelling units, 4% of parking spaces (rounded up to the nearest whole number) must have a socket capable of providing either a level 1 or level 2 charge (see below) within 5 feet of the centerline of the parking space.

- Level 1 Electric Vehicle Charging Parking requires one 120V 20-amp grounded AC receptacle, NEMA 5- 20R or equivalent, within 5 feet of the centerline of each EV Charging Parking Space.
- Level 2 Electric Vehicle Charging Parking requires one 208/240V 40-amp grounded connection for electric vehicle charging through dedicated EVSE with J1772 connector or AC receptacle, NEMA 14-50, or equivalent, within 5 feet of the centerline for each EV Charging Parking Space.

The following exemptions do not need to comply:

1. Parking spaces intended exclusively for storage of vehicles for retail sale or vehicle service.

2. Parking spaces are separated from the meter by a public right-of-way, such as a road.
3. Parking spaces which are limited to parking durations of less than an hour.

The number of parking spaces that are marked for “EV use only” need not exceed the number of EV cars driven by occupants of the building.

Section B. 1 Solar Ready Zone New detached one- and two-family dwellings, and multiple single family dwellings (townhouses) with not less than 600 ft² (55.74 m²) of roof area oriented between 110° and 270° of true north must comply.

The following are exceptions to the Solar Ready Zone requirement:

1. New residential buildings with a permanently installed on-site renewable energy system.
2. A building with a solar-ready zone that is shaded for more than 70% of daylight hours annually.
3. Buildings and structures as designed and shown in construction documents that do not meet the conditions for a solar-ready zone area.
4. Buildings with possible location(s) for ground mounted systems identified in the submitted construction documents. Buildings claiming this exception must either install appropriate electrical conduit to the site of the proposed ground mounted solar array or include a solar site evaluation that supports the siting of the proposed ground mounting location.

Section B.2 Construction Document Requirements for Solar Ready Zone Construction documents shall indicate the solar ready zone where applicable.

Section B.3a. Solar-Ready Zone Area The total solar-ready zone area shall consist of an area not less than 300 ft² (27.87 m²) exclusive of mandatory access or set back areas. New multiple single family dwellings (townhouses) three stories or less in height above grade plane and with a total floor area less than or equal to 2,000 ft² (185.8 m²) per dwelling shall have a solar-ready zone area of not less than 150 ft² (13.94 m²). Multifamily buildings should maximize the solar-ready zone by consolidating mechanicals, access, set back areas and other roof obstructions with a goal of 40% of the roof area available for the solar-ready zone. The solar-ready zone shall be composed of areas not less than five feet (1,524 mm) in width and not less than 80 ft² (7.44 m²) exclusive of access or required set back areas.

For ground-mounted systems, possible locations of the panels must be identified in the submitted construction documents and be supported by a solar site evaluation. At least one potential location must be identified in the construction documents for the future installation of the panels.

Section B.3b Obstructions Solar-ready zones shall consist of an area free from obstructions, including but not limited to vents, chimneys, and roof-mounted equipment.

Section B.3c Roof Load Documentation The structural design loads for roof dead load and roof live load to support the solar system shall be clearly indicated on the construction documents.

Section B.3d Interconnection Pathway Construction documents shall indicate pathways for routing of conduit (or plumbing for solar thermal systems) from the solar-ready zone to the electrical service panel or service hot water system. Alternatively, install two 1” minimum diameter EMT conduits from the

main electrical panel location to the attic or other area easily accessible to the solar array's proposed location. Conduits for future solar installations are to be capped, airtight and labeled at both ends.

Section B.3e Electrical Service Reserved Space The main electrical service panel shall have a reserved space to allow installation of a dual pole circuit breaker for future solar electric installation and shall be labeled "For Future Solar Electric." The reserved space shall be positioned at the opposite (load) end from the input feeder location or main circuit location. Note: this requirement is in addition to the electrical service reserved space for electric vehicle charging.



Area:

This district is comprised of the following areas: Thompson Rd, Bridge St south of the river, portions of Cochran Rd near the intersection with Bridge St (see map);

Purpose:

The purpose of the Village Residential Neighborhood South District is to provide residential neighborhoods of low to moderate density south of the Winooski River that are within walkable proximity to the services and amenities of the center of Richmond village. This neighborhood helps to provide a transition from the Agricultural/Residential district to the village districts, and a protective neighborhood atmosphere for the iconic Round Church.

Features of this district include:

- Residential areas that function as cohesive units where neighbors know each other and often provide mutual support and assistance,
- traffic is minimal and driving speeds are low,
- sidewalks and crosswalks provide pedestrian safety and connectivity, and nearby bike lanes allow for safe routes to schools, parks, town services, nearby trails and public transit options,
- street trees, yards and green spaces to provide natural amenities,
- housing types may be varied, including single family and two-family dwellings, and accessory dwelling units may provide additional housing.
- the appearance of these neighborhoods will be primarily residential
- Historic viewshed of Round Church is maintained

Permitted Uses:

1. Accessory dwelling
2. Accessory structure
3. Family childcare home
4. Group home
5. Home occupation
6. Single-family home
7. Two-family home (duplex)

Conditional Uses:

1. Artist/Craft studio
2. Museum

Consider other conditional uses:

- *Agriculture, silviculture or horticulture that does not meet state definition of “farm”[<4A, <\$2,000/year from sales, no 1040(F)]*
- *Outdoor recreation facility or park*
- *Bed and breakfast*
- *Retirement or nursing home*

Dimensional requirements:

- Minimum lot size: 1/2A
- Maximum lot coverage: 40%
- Minimum lot frontage: 75'

- Minimum lot shape: must contain a point from which a circle with a radius of 35' can be inscribed within the boundary of the lot

- Building setbacks from lot lines:
Front: principal structure -- average of neighboring setbacks
accessory building or dwelling -- minimum of 10' behind front of principal structure

Rear: any structure
minimum = 10'

Side: any structure
minimum = 10'

Other Requirements:

- one principal structure per lot
- Served by municipal water and sewer
- Sidewalks, pedestrian and bike facilities for connectivity to downtown where feasible
- Residential PUD permitted
- Adaptive use permitted

Consider also:

- *Design standards, character of the neighborhood defined by Round Church*
 - a. *Building aspects visible from the street should have windows and/or doorway(s)*
 - b. *Off-street parking should be behind or to the side of the building*
 - c. *Front and side setback should be primarily grass or other vegetation*
 - d. *Building materials and styles should be similar to the existing; primarily brick and wood*
 - e. *Roofs primarily pitched*
 - f. *Accessory structures set back and similar building materials as principal structure*
 - g. *Outdoor storage should be screened from view*
 - h. *Street or yard trees should be encouraged and maintained*

**VRN South vs A/R current
Uses -- FOR DISCUSSION ONLY
4.7.21**

**Village Residential Neighborhood
(possible)**

Allowed:

Accessory dwelling
Accessory Structure
Family based child care facility
Group home
Home occupation
Single-family home
Two-family home (duplex)

Conditional:

Artist/Craft Studio
Museum

**Min lot size: 1/2A
Max lot coverage: 40%
Front setback:**

A/R (current)

Allowed:

Accessory dwelling
Accessory uses and structures
Child care home (Family based child
care facility)
Group home
Home occupation
Bed and breakfast
Residential building with 1-2
dwelling units
(agriculture, silviculture,
horticulture)

Conditional:

(adaptive use)
Artist/craft studio
Cemetery
Cottage industry
Day care center (Center based
child care facility)
Extraction of earth resources
Inn or guest house
Kennel
Museum
Professional offices
Personal services
(PRD)
Outdoor recreation or park
Religious or educational facility
(retirement community)
State or community facility
(agriculture, silviculture,
Horticulture)

**Min lot size: 1A
Max lot coverage: 30%
Front setback: 30'**

Date: April 1, 2021

TO: Richmond Planning Commission

FROM: Cathleen Gent

RE: Thompson Road Survey Results

As a follow up to the March 17th Richmond Planning Commission meeting, I prepared a survey for residents and property owners on Thompson Road. The purpose of the survey was to gather input in response to questions and discussion by Planning Commission members during the March 17th meeting regarding potential zoning components for the Thompson Road area. During that meeting, other areas in the village south area were discussed, however, this survey focused on Thompson Road. Results of the survey are presented below.

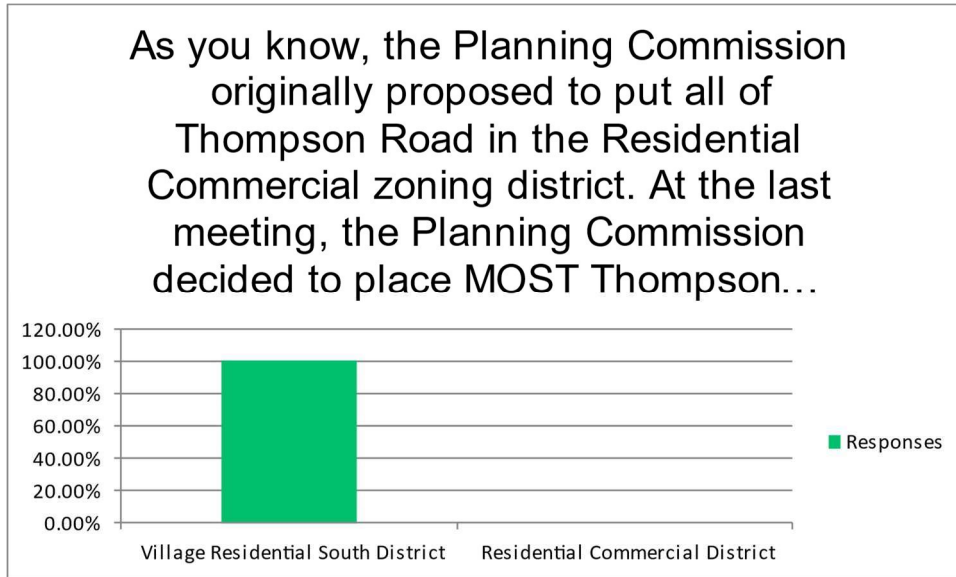
The questions presented in the survey represent questions and discussion from Planning Commission members for Thompson Road, such as the general type of zone, minimum lot sizes, specific land uses, and general comments that respondents want to share with the Planning Commission. There was no attempt to seek out opinions about uses or zoning concepts NOT proposed for the Village Residential South district. At the point when the Planning Commission proposes zoning standards for Thompson Road, residents would request an opportunity to comment on the additional information at that time.

A total of 13 surveys were submitted. Please note that the survey was completed jointly by members of a household as well as individually for each household member. Two respondents have told me that they completed the survey as a household, therefore, the results represent the views of at least 15 individuals.

During the March 17th meeting, a revised draft zoning district map was presented by town planner Ravi Venkataraman. That map showed two properties south of the Farr Road intersection as being in the Residential/Commercial zoning district. Planning Commission members said it would be helpful to get the views of those two property owners whose properties are in the current Residential/Commercial zoning district as to whether they would prefer that their parcels be in the new Village Residential South district or remain in a Residential Commercial district. I have reached out and communicated with both property owners. Both property owners would like their properties to be included in the Village Residential South district.

- Mike and Brie Healy – 118 Thompson Road – definitely want their property to be in the Village Residential zone along with other Thompson Road properties. They will be interested in learning more about specific proposed standards, such as setbacks, when the Planning Commission poses those.
- Todd Farr – 152 Thompson Road – definitely would like that property, which contains a duplex, to be in the Village Residential South district, as long as a duplex (the current use) would be allowed in that district.

Q1. As you know, the Planning Commission originally proposed to put all of Thompson Road in the Residential Commercial zoning district. At the last meeting, the Planning Commission decided to place MOST Thompson Road properties in the Village Residential South zoning Districts. Please indicate whether you support having your property in the Village Residential South zoning district (primarily residential) OR in the Residential/Commercial district (with expanded commercial uses allowed).



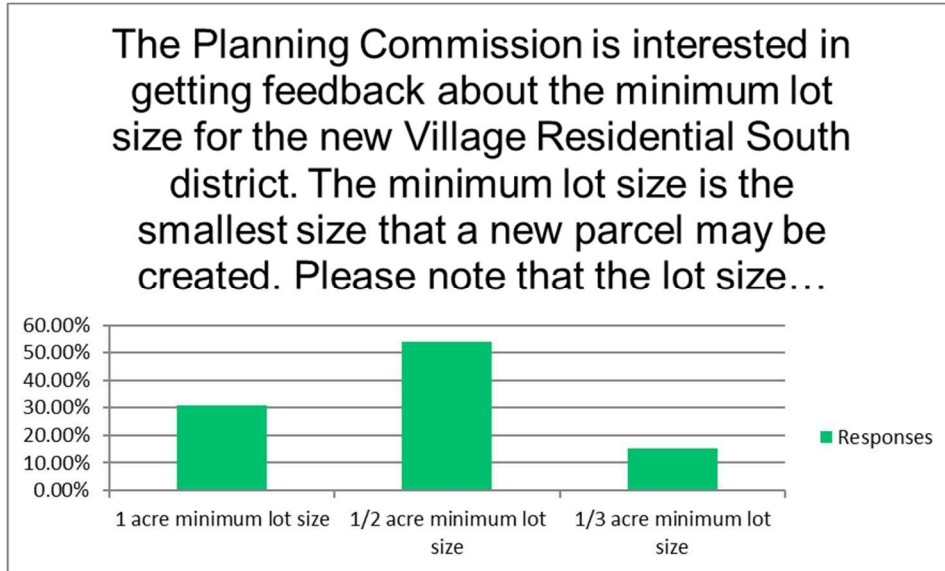
Answer Choices	Responses	
Village Residential South District	100.00%	12
Residential Commercial District	0.00 %	0
Please add any comments		3
	Answered	12
	Skipped	1

COMMENTS ON QUESTION 1:

- Already established residential neighborhood should remain so
- This is a very tight neighborhood, with no room for commercial traffic or parking. -
My property is already RC

Q.2. The Planning Commission is interested in getting feedback about the minimum lot size for the new Village Residential South district. The minimum lot size is the smallest size that a new parcel may be

created. Please note that the lot size for the Agricultural Residential zoning district is 1 acre. (Most properties on Thompson Road are CURRENTLY in the Agricultural Residential zoning district but the parcels may be smaller than one acre.) Please select the minimum lot size you would like to see on Thompson Road.

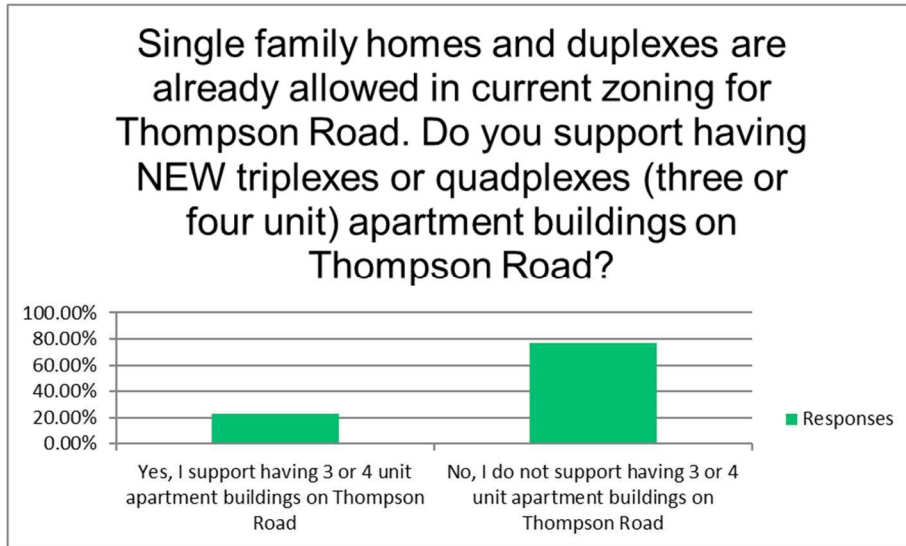


Answer Choices	Responses	
1 acre minimum lot size	30.77%	4
1/2 acre minimum lot size	53.85%	7
1/3 acre minimum lot size	15.38 %	2
Please add any comments		1
	Answered	13
	Skipped	0

Comment:

- I do not believe the one third lot size is appropriate for the south district

Q3. Single family homes and duplexes are already allowed in current zoning for Thompson Road. Do you support having NEW triplexes or quadplexes (three or four unit) apartment buildings on Thompson Road?

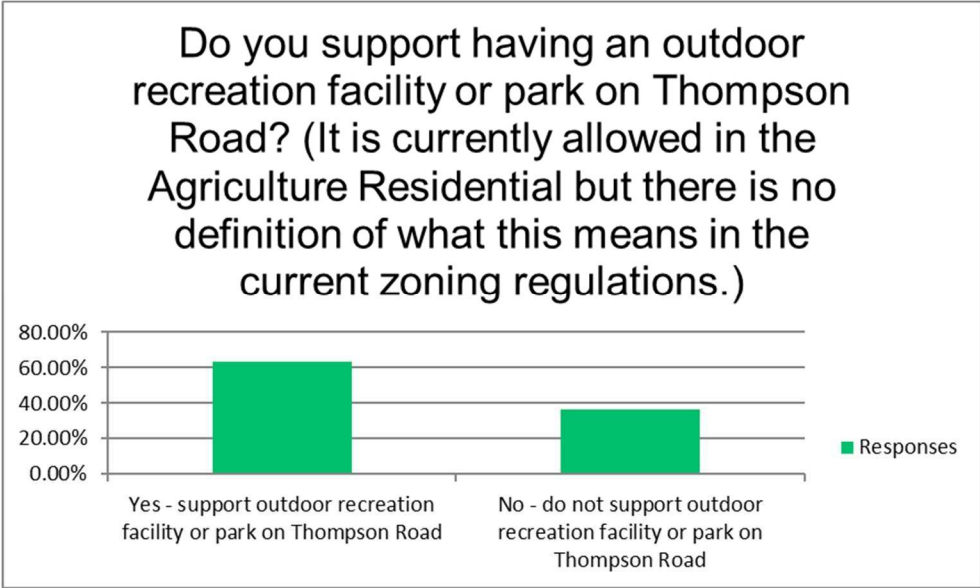


Answer Choices	Responses	
Yes, I support having 3 or 4 unit apartment buildings on Thompson Road	23.08%	3
No, I do not support having 3 or 4 unit apartment buildings on Thompson Road	76.92%	10
Please add any comments		2
	Answered	13
	Skipped	0

Comments:

- ABSOLUTELY NO!!
- Thompson Road already experiences heavy traffic given the town garage, the day care near town garage & Richmond Terrace residents & visitors. The nature of the road is narrow & there is a need for a good size ditch for water run off

Q4. Do you support having an outdoor recreation facility or park on Thompson Road? (It is currently allowed in the Agriculture Residential but there is no definition of what this means in the current zoning regulations.)

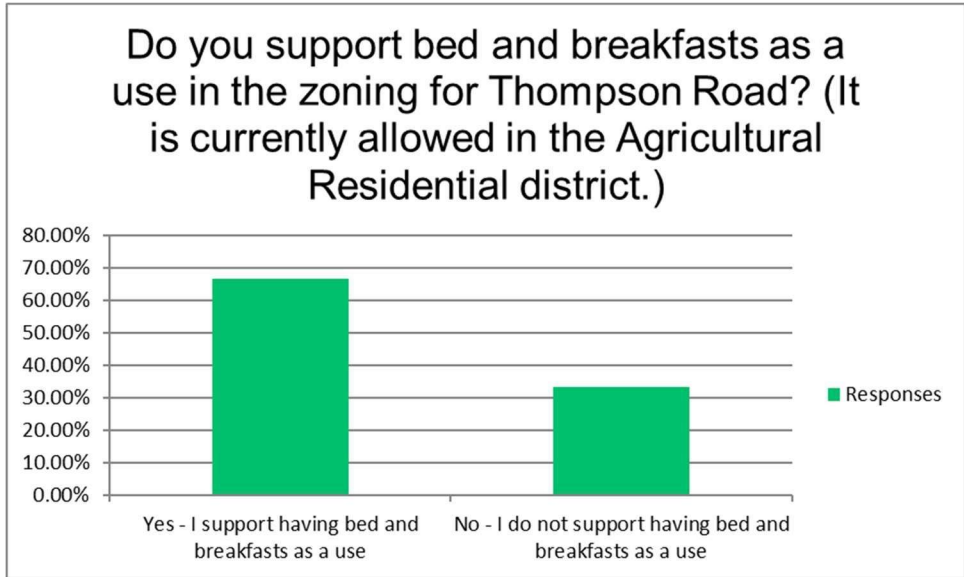


Answer Choices	Responses	
Yes - support outdoor recreation facility or park on Thompson Road	63.64%	7
No - do not support outdoor recreation facility or park on Thompson Road	36.36 %	4
Please add any comments		4
	Answered	11
	Skipped	2

Comments:

- no strong preference either way on this question
- I do not see any usable space for a facility of that nature.
- Where would this park be. I can't answer the question without knowing more
- a stronger definition of said facility and use would be nice

Q5. Do you support bed and breakfasts as a use in the zoning for Thompson Road? (It is currently allowed in the Agricultural Residential district.)



Answer Choices	Responses	
Yes - I support having bed and breakfasts as a use	66.67%	8
No - I do not support having bed and breakfasts as a use	33.33 %	4
Please add any comments		3
	Answered	12
	Skipped	1

Comments:

- Bed and breakfast - maybe Air B & B – no
- We are not opposed to B&B as a home use - however not at the expense of being fully commercially zoned if that is the cost of approving B&B use.
- I would need more information to make a reasonably informed answer.

Q6. What are some particular features of Thompson Road that the Planning Commission should consider before finalizing the proposed zoning for Thompson Road? For instance, natural features, traffic, road capacity, etc. [Respondent is listed when the person agreed to be identified individually]

The wetlands and slopes really limit any new expansion of development on Thompson Road. The road is narrow and has no provisions for pedestrians, and would have to be rebuilt with sidewalks added for much more development.

There has to be a safe way to walk to the village. In particular being able to cross Huntington road. Also another limitation is the lack of room for cars to park along the road due to ditches on either side of the road. (Fran Huntoon)

Traffic and pedestrian traffic (Jean Bressor)

Overall road width - narrow - limited feasibility for sidewalks? [Alan Pierson Franchot and Angie Jacobs 802-434-3788]

Class 2 wetland prone to some flooding of yard & field. Limited ability to widen road & add sidewalks. Neighborhood looks built out to capacity. Thompson Road is a destination for walkers, runners & bicyclists & further development would impede pedestrians. [Patricia Rossi]

I think the traffic would be a concern in regards to pedestrians if there was to be significant growth in the future [Todd Farr]

No sidewalks, wetlands, slope limitations. Thompson road should not be used as access or egress for the development of the Farr property. Those who develop the Farr property should have the responsibility to create new access to and from Huntington road.

All of those [features] mentioned.

Lack of sidewalks. Traffic is busy even on the dead end road because of the transportation building at the end.

It's a dead end road which already has to much traffic coming down and turning around usually very fast. The road is very narrow in some spots. We have no side walks. We should not be in a commercial zone

The hilly topography, riparian areas, high amount of wildlife passing through, and tight knit family neighborhood character [Laura Farrell, 152 Thompson Rd]

Please keep Thompson road as a dead end. [Victor Rossi - rossi@gmavt.net]

Q7. Do you have any final comments you wish to make about upcoming changes to zoning regulations and how those might affect Thompson Road? [Respondent is listed when the person agreed to be identified individually]

We have a neighborhood just like all of the other neighborhoods in the village. There is not a lot of developable land. (Fran Huntoon)

Villages are viewed as a town's growth center AND it is also a series of neighborhoods that people call home. (Jean Bressor)

Have the committees visited the areas in question? I would recommend they walk Thompson Rd & take time to see it's rural quality which is rare for village property. [Patricia Rossi patriciadrossi@gmavt.net 802-434-3780 Thank you!]

Only single-family homes and duplexes allowed.

Thompson road is a small family road with elderly/ kids walking through out the day. We all live here for the somewhat quiet street that it is. We do not need or want more traffic or business on it.

This is a residential area, besides the senior housing and town garage and it would be sad to turn this neighborhood, and the area around the Round Church, into a more commercial area [Laura Farrell, 152 Thompson Road]

To members of the Richmond Planning Commission,

At a recent planning commission meeting I said I would talk with property owners in the white area labeled Round Church on the recent version of the map of the south section of the village. I did go door-to-door and speak with everyone whose properties are around the Round Church green, including the Board of the Richmond Historical Society who has a forty year lease to manage the Round Church..

The people I spoke with were asked whether they wanted to be in the Round Church Viewshed District or in the Village Residential South District. I gave them a copy of the map and a list of the uses proposed for the district. About two-thirds responded during that initial meeting and one-third got back to me later.

Here are the results:

1. All but one stated they would prefer to be in the Village Residential South District.
2. One property owner who did not pick Village Residential South said they would prefer to keep it in the A/R district. This was not a choice in the options given, so I do not know what to results of the survey would be if that had been a choice as well.

I also asked specifically about the three and four unit residential buildings proposed and no one supports them. This is a hot-topic issue with many people. One person called it the Winooskification of Richmond.

This proposal is a serious threat to our neighborhoods as historic properties will be torn down and replaced with structures that are large a squeezed into lots (such as in Winooski). There is considerable anger around this issue and a growing resentment against the planning commission for proposing to do this. With the change from acre to half-acre lots, the density allowed goes from 2 units per acre to 4 units per acre. Allowing four-unit buildings would be going fro 2 units to 8 units per acre. This puts a target on every single-family home on an acre to be torn down and replaced with 8 units. This is totally unacceptable.

I did not specifically ask if other uses should be added to the list of conditional uses in the Village Residential South District and for the most part none were offered, however three topics were raised:

1. The Historical Society Board would like museum added.
2. The neighbor to the church would like artist/craft studio added so they can continue to use the old Isaac Antique Shop building.
3. The owners of three properties said they wanted agricultural uses added as in the A/R district.

In addition to these ideas, the member of the Historical Society brought up the importance of matching the current setbacks from the street and not allowing parking in front yards.

Finally, with some of the property owners whom I had longer conversations with, the topic of reducing DRB review came up. No one likes the idea.

With this feedback, I ask the planning commission to make the following changes:

1. Eliminate the Round Church Viewshed District.
2. Consider adding the mentioned museum, artist/craft studio, and agriculture as uses.
3. Consider the comments about setbacks matching existing ones, and no parking in front of houses.
4. Do not reduce the amount of projects going to the DRB for review.
5. Eliminate the ability to have buildings with more than two units in them.

Furthermore I ask that you alter the proposed zoning map in the following ways:

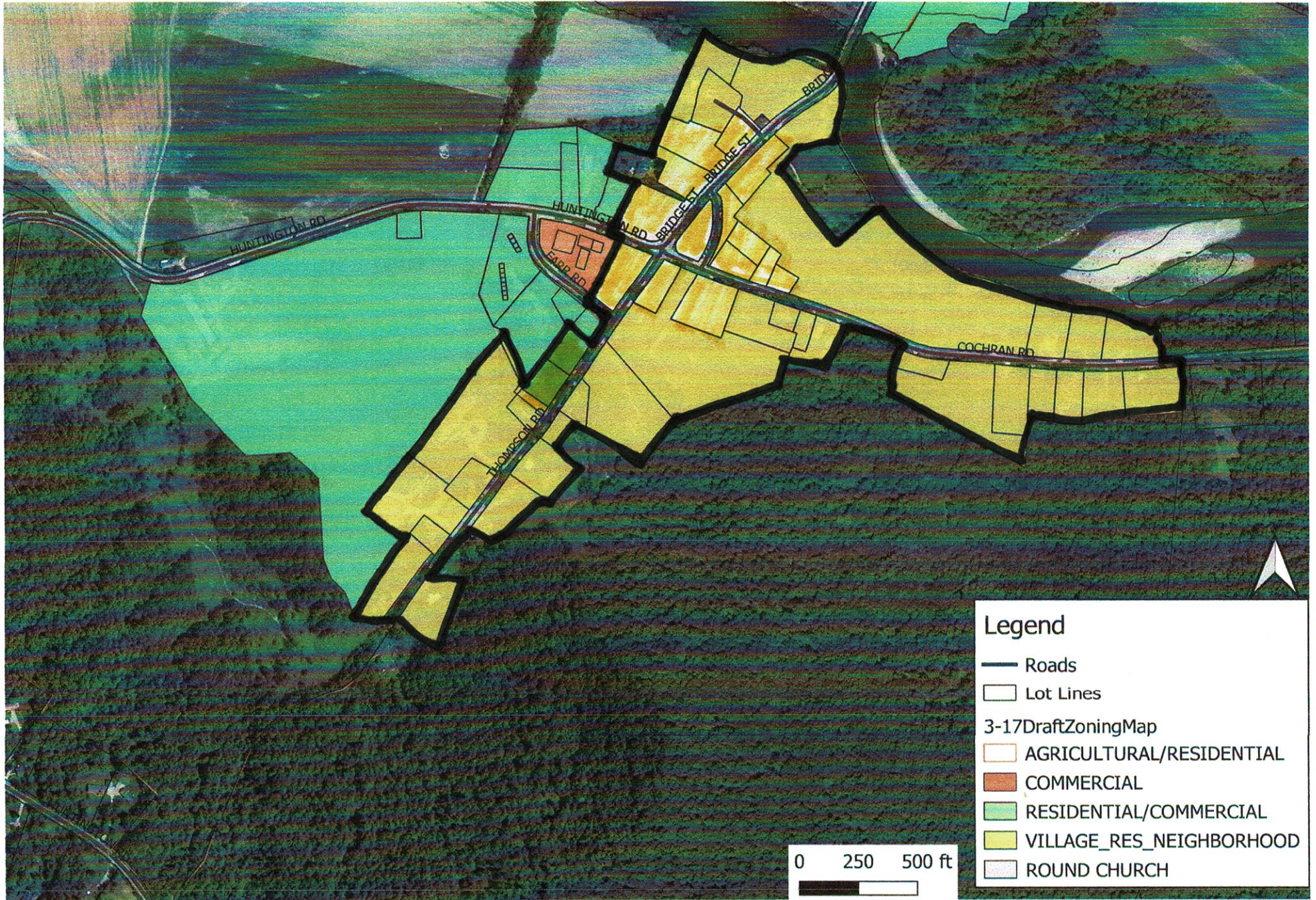
1. Change the white district to all yellow.
2. Delete ROUND CHURCH from the legend.
3. Add the Sennick / Mather property to the yellow district since their driveway is in the district (the property across the park from the Round Church).
4. On Thompson Road add the two houses after the daycare facility to the yellow district as they are clearly part of the Thompson Road residential area.

The result is a fairly clean boundary line between the Village Residential South District and the other adjoining districts. The only building on Thompson Road that is not in the yellow district is the daycare facility and that makes sense since it faces onto Farr Road.

I have included a marked up map.

Thanks for your consideration of these ideas.

Gary Bressor



To members of the Richmond Planning Commission,

I would like to explain my ideas on five topics relevant to the zoning changes you are working on. I am passing them on to members in written form because they require more explaining than I could do in one of your meetings. Here are the topics:

1. Adding an additional way of counting density.
2. Reducing review by the Development Review Board.
3. A way to deal with a specific issue relating to the Round Church.
4. A proposal for a new residential neighborhood.

1. Adding an additional way of creating the 2-dwelling units allowed in the Village South and Round Church Viewshed District (as well as throughout the residential areas of town).

Here is what is currently allowed:

- a. Single-family home.
- b. Single-family home with an accessory dwelling.
- c. Duplex with one owner owning both sides, either as an investment property or with the owner living in one side.
- d. Duplex with the property split into two units on two parcels of land with separate owners connected by a standard party wall (as in the white house at the corner of Cochran and Thompson Road).
- e. Duplex with the property split into two units on two parcels of land with separate owners connected by a small storage structure built just so it would be a duplex party wall (the two new homes at the end of Pleasant Street. I had two units approved similar to this project but they were connected by a shared porch done for the same reason, but in the end I decided to only construct one of the units).

Here is what is not allowed:

- a. Duplex with the property split into two units on two parcels of land with separate owners not connected by a small storage structure or connected porch built just so it would be a duplex party wall.

I have built and sold five homes in the past six years, three single-family homes and one duplex with a standard party wall. All of the sales have been by owner so I have met and talked with everyone who came through the homes. By far the biggest thing that has prevented the sale of the duplex units is the party wall. It seems like everyone that has been a renter had a story about how they lived in a place where sounds from their neighbors unit was transmitted through the party wall and that they would prefer a free-standing unit because of sound but also to avoid having to work out exterior maintenance issues with a neighbor (such as when to paint or re-roof).

Here is my proposal: In the residential districts, these uses would be allowed:

- a. Single-family home. (no change)
- b. Two units - Single-family home with an accessory dwelling. (no change)
- c. Duplex with one owner owning both sides, either as an investment property or with the owner living in one side. (no change)
- d. Two units without the need for a party wall. This should go through the DRB Conditional use process to deal with neighborhood concerns.

This proposal does not increase density but it does give buyers more of what they want and also puts single family homes on the same footing as duplexes.

4. A proposal for a new residential neighborhood.

The proposal is to turn the existing Gateway district into a fairly dense residential neighborhood. It is offered as a solution to four things that have been issues in the town for a long time, some of them for several decades:

1. How do we protect the interests and the wishes of existing village residential neighborhoods in not having projects that are more dense than the existing density of not more than two units per lot. The people who live in these areas seem to be really clear that they do not wish to accept the planning commission's proposals to add three and four unit structures in these area. I think by the time the proposed zoning changes reach a decision point the interests in the various neighborhoods will coalesce and the work you are doing will be voted down.

2. How do we make significant gains in meeting the housing needs in Richmond? While I do not know the numbers that are in the estimated need , I have heard we are nowhere near to meeting it.

3. How do we get a safe off-road bike path out to the Interstate 89 Park and Ride and beyond to the Riverview Commons area of town? This is something that consistently ranks very high in residents wish list, the town trails committee wish list and those people who want a way to get to the commuter bus without having to drive to the parking area.

4. What type of uses in the Gateway will enhance the entrance to the village and prevent it from becoming what most interchange areas become – a mix of fast food and gas stations? The type of zoning proposed for the Gateway District is contested in most revisions of the town plan and in proposed zoning rewrites and no real vision for the area has ever really been agreed upon. The Gateway District reminds me of the area around the interchange in Warner, New Hampshire. When I was going to school in Boston in the mid-1970's, I would stop on my way home into a little restaurant in the center of Warner village. It was like the first breath of non-city air and I felt like I was getting home soon. The area by the interchange was undeveloped then. Now it is a mix of gas stations, convenience store and fast food that overshadows the still charming village that lies just beyond that area. I do not want this to happen to Richmond. I dread yet another round of zoning rewrites for

the Gateway District and wish we could find a vision for that area that everyone agrees on.

So with these issues in mind I propose the creation of a new residential neighborhood and the expansion of another residential neighborhood. The new residential neighborhood would be the current Gateway District. While it is now planned as more of a business area, I think the more pressing need for a substantial amount of housing should warrant interest by the planning commission to rethink the zoning in this area.

What could this look like? Ideally all properties in the district would come together and a new loop road would access the area with two access points. One access point at the current Reap property and another farther west (maybe at the old farmhouse that is an office building). But even if all parcels do not want to be a part of the plan, just the Reap property, the two parcels owned by Rod West and the parcel owned by Peter Mumford could be combined to create a land area large enough to make a loop road feasible. Reducing curb cuts on this busy section of Route 2 would be an improvement.

What could this development look like? For it to work as a neighborhood I think a substantial number of units would have to be created so it feels like a real neighborhood and not just a small housing development abandoned out by the interstate. Because it is separated from built-out residential neighborhoods and not trying to fit into an existing neighborhood, questions of density are minimized.

In some ways this proposal is nothing new. I was on the planning commission for many years and we discussed trying to create higher density areas at Fays Corners and in Jonesville. Those areas have both been subdivided and developed now. Without public water and sewer those areas could not support the density that the Gateway District can support.

One place I suggest you drive to see what could be developed here in the Gateway is to drive to the new O'Brien Farm development that is located on 40 acres between Old Farm Road and Kennedy Drive. Over 400 units are proposed here and some sections are fully built out. The small lot development on narrow streets create an intimacy and neighborly feel missing in many new developments. One thing I like is how they have the sidewalk at the same level as the road on some of the dead-end streets with only 17 or less units. That allows for a 14-foot wide street and the ability to drive on the sidewalk if you meet a car. The streets with more units have the standard street layout with sidewalks separated from the roadway by curbs and grass strips.

Here are pictures of the O'Brien Farm development. While these show the single-family home section called Hillside, there are streets with duplexes and multi-family as well. The units are selling ahead of schedule. I talked with a resident living in one of the pictured homes and he seemed very satisfied with his choice.

Development of the Gateway district into a fairly dense housing development could add a hundred housing units to Richmond, could eliminate the pressure on the existing developed village neighborhoods to accept more density, could eliminate the very real fear that the Gateway will be developed in a way that diminishes the entrance to the village, greatly increases the need for a bike path from the village to at least the Park and Ride. This project combined with Buttermilk's Jolina Court project, the continued slow development in the village (both new units and conversions of single-family to duplex and the surrounding areas.