

Richmond Development Review Board
REGULAR Meeting
UNAPPROVED MINUTES FOR Dec. 09, 2020 MEETING

6	Members Present:	David Sunshine (Chair); Padraic Monks; Roger Pedersen; Matt
7		Dyer (Vice-Chair); Gabriel Firman; David Schnakenberg
8		(Alternate)
9	Members Absent:	Alison Anand (Alternate)
10	Others Present:	Taylor Newton (Staff); Kathy Daub-Stearns (Staff); Tyler
11		Billingsley, Tom Juiffe, Design Sign; Mark Lesh; Jason Webster;
12		Cori; Jason Barnard; and the meeting was recorded for MMCTV
13		Channel 15

David Sunshine welcomed everyone to the meeting at 7:02 pm.

David S. then requested participants sign in or identify themselves since the meeting was held via Zoom and provided an overview of what an interested party is and stated the procedures for the meeting. Taylor and Kathy were introduced as interim support to the DRB Board.

Taylor Newton introduced David Schnakenberg to the board adding that he is the new alternate and was there to observe. David S. welcomed him.

Public Hearings:

Design Signs, on behalf of Court Street Associates - Application 2020-158 for Conditional Use Approval for a free-standing sign of a non-traditional form located at 191 East Main Street, Richmond. Located within the Residential/Commercial Zoning District.

Tom Juiffe from Design Signs was sworn in to speak for the Appleton's.

Tom described the sign that is subject to approval and said it was the shape that prompted applying for conditional use approval.

Questions from the board- none

Matt D. said it looks like the sign is within the allowable size. Tom J. said that it is.

Questions from the public: None.

Matt Dyer moved to approve application 2020-158; Roger Pedersen seconded. Passed 5-0-0.

David S. noted the board had 45 days to make its decision, but it would likely take less time. Tom J. asked if there was an appeal period after that. David S. replied there is a 30-day appeal period.

Peggy Farr Revocable Trust - Application 2020-111. Public hearing continued from October 14, 2020 and September 9, 2020. Preliminary Subdivision Review for a 4-lot subdivision

1 (creation of 3 new lots) and a variance request at 180 East Hill Rd, Parcel ID EH0180, in the
2 Agricultural/Residential (A/R) Zoning District.

3 David S. stated that the item was not ready to be heard yet.

4 David Sunshine moved to change the hearing date to Jan 13 at 7 PM; Padriac Monks
5 seconded. Passed 5-0-0.

6

7 **Other Business:**

8 **Huntington Homes, LLC. - Application 2020-015** for Subdivision Sketch Review for a 9-lot
9 subdivision (Sylvan Knoll – Phase II), in the Agricultural/ Residential (A/R) Zoning District at
10 952 Kenyon Road, Parcel ID KR0952.

11

12 David S. said he would stay as chair but would not take part in the discussion because of work
13 his firm does for Jason. Matt D. also does work for Jason and recused himself. Since there
14 would be no vote necessary this was not an issue.

15

16 Jason Weber asked for a correction to the name in the staff notes. The notes identify the
17 company as Huntington Homes, LLC when the company is incorporated. Jason W. went on
18 to say that they own 72 Acres that remain from the original Sylvan Ridge development. He
19 had sketch proposal for 9 lots, 8 building lots and the 9th is the remaining land. He described
20 the plans which include drive locations and house locations. Wastewater locations have been
21 identified. Existing lots 3 & 4 have a boundary line adjustment request and those property
22 owners have been notified. There are remaining lands that there is no plan for because of
23 the topography on that 45 acres. There are other issues that can be addressed after sketch
24 review approval takes place.

25

26 Jason Barnard said he noticed one thing in the staff report in relation to an easement related
27 to lots 15, 16 and 14, there will be a 50' right of way associated with the easement once it is
28 final. Jason said infrastructure will be small, soils are good and conventional systems will be
29 utilized (lot 11 will be a mound), each lot will have its own septic, access roads short,
30 stormwater should be minor, access points are good where the old house was, an existing
31 well, driveway slopes will be less than 10%. 9-10 will be accessed from the backside of the
32 cul-de-sac and utilities were taken into account. There may be shared wells, but the goal is
33 to have them be individual and on each lot. There may be wastewater easements for lots 13
34 to lot 14. When the system gets sized the boxes for wastewater will probably be smaller.

35

36 David S. said they will need to see language for anything shared, whether it is driveways,
37 wells, septic systems, or anything else as part of preliminary as opposed to final. Jason W.
38 said it is their intention that everyone will have their own septic and well.

39

40 David S. said that according to the staff report you are not intending to use building envelopes
41 and believes that according to the ordinance a building envelope is required for each lot. Jason
42 B. asked if the setbacks could be used. After Taylor checked the Ordinance, he confirmed
43 that building envelopes are required. Jason B. stated that a building envelope will be hard on
44 the smaller lots.

45

46 David S. said that the staff report requires information on natural features, wetlands, forests,
47 and large animal habitat when they bring the preliminary.

48

1 Padriac M. said stormwater permits will probably be needed. Earth disturbance and post
2 construction permit for impervious areas over an acre. Easements may be needed. He
3 recommended looking into these things before going much further.
4

5 Jason B. asked in terms of the 2005 subdivision would they have to go retro. Padriac M. said
6 the post construction permit is for the entire project and would include all phases. Jason W.
7 said he understands how phase 1 was done could impact phase 2. Padriac M. said if he is
8 working on phase 1 areas then it would be needed adding if he sticks to phase 2 areas then
9 he would not have to be retroactive. Padriac M. said these are issues to be looked at and
10 may not necessarily be an issue. David S. asked if they are doing boundary adjustments that
11 were in the first phase would that be something that triggers them to have to deal with it
12 retroactively. Padriac M. thought that conversation would be best with the stormwater
13 program. David S. advised them to check that out.
14

15 Taylor N. said using his CCRPC hat the applicants spoke about how attractive building site is
16 adding, it could be built much denser. Jason W. replied that Act 250 is why they kept lots
17 large. Taylor N. asked if it was the fee or too much uncertainty. Jason W. replied that it is the
18 cost and as a builder he has built on both ACT 250 and non-Act 250 sites adding that Act 250
19 triggers building rules once approved that are more complicated and expensive.
20

21 Gabriel F. stated that the layout is thoughtful and does not break from the existing area.
22 David S. advised that they should contact fire and police and make sure that they can service
23 the development adding that the Board will need a letter from them. Jason B. said they usually
24 do that and invite the fire chief to walk the area and will submit a letter.
25

26 David S. asked if the 45 acres will be common land or be kept for themselves. Jason W. said
27 he was not sure what was going to happen with the 45 acres but that it is there intension right
28 now for the 45 acres to be used by all 16 house sites adding there are some trails cut into it
29 and new lot 10 will cut off access to lot 17 but he is looking at putting an easement in to have
30 access to the remaining land. David S. asked to have that put into the plans. Jason W.
31 agreed. He said that the phase one owners have enjoyed the woods back there. Gabriel F.
32 asked how this would impact the existing trails. Jason W. said when deciding lot lines for 14,
33 15, and 16 they went in with neighbors and a GPS tracker & drew the boundary lines so there
34 would not be any problems going over the trails. David S. added Richmond is known for
35 recreational opportunities here and he appreciated the thoughtfulness.
36

37 Jason W. then asked if they would be allowed to do preliminary and final in one application
38 and acknowledged there are risks in doing so. He said he knew about putting together all the
39 correct documents, getting all the engineering done and then show up and get it done in one
40 meeting. He said he is trying to condense time and to have the ability to build during a time
41 when the housing market is hot and hoped the Board would consider it. David S. replied that
42 the ordinance allows that, but the board has discouraged that because submissions are not
43 always complete. If it is not in final form, then you are going to have to come back and spend
44 more money. You could try it but if it is not perfect you will be back for the 3rd meeting anyway.
45 He felt it is a difficult maneuver to both at once. David S. added that the board tries to give
46 decisions before 45 days unless it is contentious in some way and there is nothing that can
47 be done about the 30-day waiting period. Jason W. & Jason B. said they knew the risks and
48 knew they need to get it right. Jason B. asked, would changes be a continuation of the hearing
49 or would they have to submit a new application for another hearing. David S. said that if the
50 board does not feel the application is complete then they could give preliminary approval and
51 ask them to come back for a final hearing. Jason W. said that would be a continuation of the

1 same hearing, not a new one Roger P. agreed and provided an example and let them know
2 that there is not a way to review something after final, so they need to see all the legal
3 documents beforehand. Padriac M. agreed adding that things that are incomplete is where
4 things get hung up and advised them to pay attention to the requirements of the staff report.
5 David S. said he has asked that the Ordinance be changed to not allow preliminary and final
6 to be done at the same time because the board has not had good luck with people trying it
7 but added they could go for it with the warning that if it is not complete, they would need to
8 come back for the 3rd hearing anyway. Jason B. felt it was worth a shot and it would be up to
9 them to present a complete package and was confident they could do it.

10
11 Taylor N. said, other municipalities have a process where a condition of final approve is that
12 when legal documents are submitted it is with a \$500 check held by the municipality, the
13 documents are reviewed by the municipality's lawyer whose fee is deducted from the \$500
14 and the balance is returned to the applicant which is more administration, but it is a way for
15 municipalities to deal with the legal documents. Matt D. said when the board is doing legal
16 document review, he could appreciate that and he would be in favor of such a process if David
17 Sunshine and Roger Pedersen, who are lawyers, were not on the Board. David S. said that
18 was a good point. Padraic M. agreed that if at some time there are not lawyers on the board
19 there may be a need to go to that type of process.

20
21 David S. thanked them for coming in for the sketch plan review adding that it gives everyone
22 a chance to make comments.

23
24 **Other Business:**

25
26 **Approve minutes from November 11, 2020 DRB meeting.**

27 There were no minutes to approve in the packet. Minutes from the previous meeting will be
28 approved at the next meeting.

29
30 **Discussion of January DRB meeting potential applications.**

31 Taylor N. will check with Ravi for any applications and get back to the Board members.

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33
34 **Adjourn** at 7:50 pm by Mr. Sunshine; seconded by Mr. Dyer. Passed 5-0-0.

35
36 Respectfully submitted by Kathy Daub-Stearns, Administrative Assistant.

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