



Planning & Zoning Office
Town of Richmond P.O. Box 285
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APPLICATION: SUB2023-03

APPLICANT: Peaceable Kingdom LLC (Garry Bressor)

REQUESTED ACTION: Subdivision Amendment

LOCATION: 15 Peaceable Street

EXISTING ZONING: Agricultural Residential

PROJECT DESCRIPTION:

The Applicant is seeking to make a final subdivision amendment for the Peaceable Kingdom Subdivision. The Applicants want to make changes to lot 2 of the subdivision. reduce the setback on the side facing Thompson Road from 30 feet to 10 feet, and the north side setback from 10 feet to 5 feet. The reason for the first request is to move the home towards the street so that the view of the Round Church currently enjoyed by residents of Lot 3 and Lot 4 will be impacted less. This would result in a change to the existing building envelope for lot 2

PARCEL HISTORY:

1. Preliminary and Final Plan Review 2018-092 approved 10/24/18
2. Amended Decision 2018-129 approved 2/14/19
3. Sketch Plan application 2019-104 approved 10/9/18
4. Subdivision Amendment 2019-008 approved 3/15/19
5. Preliminary Subdivision 2019-118 approved 12/20/19
6. Final Subdivision 2019-128 approved 12/19/19

LIST OF SUBMISSIONS:

- 1.
- 2.

PROCEDURAL INFORMATION:

1. Application submitted on 3/24/23
2. Agenda placed in Seven Days 3/27/2023
3. Notice placed on Town website and at three locations in town on 3/27/2023
4. Abutters notified on 3/27/2023
5. Notice sent to Applicant 3/27/2023

STAFF COMMENTS (In Bold):

1. The Applicant is seeking to make a final subdivision amendment for the Peaceable Kingdom Subdivision. The Applicants want to make changes to lot 2 of the subdivision by reducing the setback on the side facing Thompson Road from 30 feet to 10 feet, and the north side setback from 10 feet to 5 feet. The reason for this request is to move the home towards the street so that the view of the Round Church currently enjoyed by residents of Lot 3 and Lot 4 will be impacted less. This would result in a change to the existing building envelope for lot 2.
2. The lot is located in the Agricultural Residential district.
3. The Applicants have a previously approved Planned Unit Development per Section 3.1.2 of the Richmond Zoning Regulations
4. Planned Unit Developments are considered subdivisions per Section 5.12 and are subject to the Richmond Subdivision Regulations
5. Section 5.12 notes that Planned Unit Developments are also subject to Section 5.6 Conditional Use Review (**Applicants are not seeking changes to the use. They are looking to make changes to the site plan**)
6. Conditional use Review criteria also contains Site Plan Review which is covered by Section 5.5
7. The Applicant is seeking to amend a final subdivision plat by modifying the setback requirements to expand the building envelope for lot 2 (**Applicants submittal D. shows the proposed changes to allow a larger building envelope**)
8. Section 5.5.2 notes that proposed setbacks are required to be shown on site plans per subsection c. section ii. (**This section gives the DRB broad authority to approve or modify setbacks. The DRB may make any modifications to setbacks that they feel is appropriate. The language in section 5.5 offers minimal restriction on modifications to setbacks**)
9. Peaceable Kingdom is a previously approved Planned Unit Development which are considered subdivisions
10. Amendments to subdivision plats require review by the Development Review Board per Section 706 of the Richmond Subdivision regulations
11. Section 706 notes that the DRB has to approve modifications to Subdivisions unless they meet the criteria laid out in Section 800.1 of the Richmond Subdivision Regulations
12. Section 800.1 notes that the Zoning Administrator may modify approved subdivisions under the following circumstances:
 - a. Adjust a lot boundary, provided that no lot is diminished in total area by more than ten (10) percent
 - b. Change a road location, provided that the centerline is moved by no more than twenty (20) feet and/or no more than one hundred (100) feet of the length of the road segment is moved and provided that the town engineer approves any such changes
 - c. Modify the location of a wastewater system leach field, provided that the state of Vermont has issued an amended wastewater and potable water supply permit for the leach field as relocated
 - d. Move a building envelope by no more than twenty (20) feet in any direction, provided that no adjoining property owner or an interested person has requested a public hearing
13. Enlarging building envelopes and modifying setbacks are not noted in Section 800.1 and therefore require approval by the Development Review Board
14. Final plats are required to show all of the information noted in Section 420.2

15. Section 420.2 shall be consistent in all respects to the layout as approved by the DRB for the preliminary subdivision. The final plat shall be drawn to a scale of not more than two hundred (200) feet to the inch, and shall show:
 - a. proposed subdivision name or identifying title, the name of the municipality, the name and address of the owner of record and of the subdivider (if different), the name, registration number and seal of the registered land surveyor, the boundaries of the subdivision and its general location in relation to existing roads or other landmarks, scale, date, magnetic north, with true north declination and legend
 - b. Road names and lines, pedestrian ways, recreational trails, lots, reservations, easements and areas to be dedicated to public use, if any. noted on plat.
 - c. The location, bearing and length of every road line, lot line and boundary line. all locations should be tied to known reference points such as road intersections
 - d. Lots within the subdivision numbered sequentially (any reserved land shall have the highest number). below each lot number, within the lot boundaries, the following shall be listed: the acreage, new parcel id number, and building envelope to contain all proposed primary structure
 - e. Location of any existing or proposed easements on all lots
 - f. Locations of proposed monuments at all right-of-way intersections and at all points of curvature (p.c.) and points of tangency (pt) on both sides of any road lines, and at any other critical points in the road lines as will enable a land surveyor to correctly stake out any lot in the subdivision.
 - g. Subdivision location map

Recommendations to the DRB

The Zoning Administrator recommends that the DRB consider approving this proposed subdivision amendment. The changes represented are minimal and do not negatively impact other aspects of the zoning regulations. In addition, the DRB has broad authority to modify setbacks as note in section 5.5.2.