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APPLICATION: SUB2023-08

APPLICANT: Jameson Partners LLC

REQUESTED ACTION: Final Subdivision Approval

LOCATION: 22 Depot Street

EXISTING ZONING: Village Downtown

PROJECT DESCRIPTION: The applicants, Jameson Partners, LLC, are seeking final approval for a Planned Unit Development located at 22 Depot Street. Site re-development would entail removal of several single-story wood framed garages and storage buildings, consolidation and reconstruction of onsite parking, and construction of a three-story addition with commercial lease space on the ground floor, and four apartments above

PARCEL HISTORY:

1. Preliminary Subdivision application, approved 9/23/22
2. Zoning Permit 14-082, approved 7/14/14

LIST OF SUBMISSIONS:

- A. Cover Letter
- B. Narrative
- C. Stormwater Narrative
- D. Zoning Abstract
- E. Sub Application
- F. Landscape Maintenance Plan
- G. Lighting Plan
- H. Sewer Allocation
- I. Waterline Plans Email
- J. Application Documentation
- K. Plan Set

PROCEDURAL INFORMATION:

1. Application submitted on 5/17/23
2. Agenda placed in Seven Days 5/26/2023
3. Notice placed on Town website and at three locations in town on 5/26/2023
4. Abutters notified on 5/26/2023
5. Notice sent to Applicant 5/26/2023

STAFF COMMENTS (In Bold):

1. The applicants, Jameson Partners LLC, are seeking final approval for a Planned Unit Development located at 22 Depot Street. Site re-development would entail removal of several single-story wood framed garages and storage buildings, consolidation and reconstruction of onsite parking, and construction of a three-story addition with commercial lease space on the ground floor, and four apartments above
2. The project is located inside of the Village Downtown Zoning district and is covered under Section 3.10 of the Richmond Zoning regulations
3. The project is considered a Planned Unit Development (PUD) since the project is proposing multiple principle uses on a property
4. Planned Unit Developments are an allowed use per Section 3.10.2 with Conditional Use Approval
5. Section 3.10.3 notes that each residential dwelling unit shall require 1/24 acre of developable land located on the same lot as the unit subject to the rounding rule below. This equals a residential density of approximately 24 units per acre. Developable land excludes those lands that are outlined in section 2.5.2. The maximum number of units that may be permitted shall be calculated by multiplying the residential density by the total developable acreage of the lot. When this calculation results in a number of units with a fractional component, the fraction will be rounded according to conventional rounding rules as follows, where X is a whole number: X.0 – X.49 units shall be rounded DOWN to X units. X.50 – X.99 units shall be rounded UP to X+1 units. Examples: 24 units/acre x 0.22 developable acres = 5.28 units rounds DOWN to 5 units. 24 units/acre x 0.16 developable acres = 3.84 units rounds UP to 4 units. If the number of permissible units is less than one (1) it shall be rounded UP to 1 unit. Example: 24 units/acre x 0.02 developable acres = 0.48 units rounds UP to 1 unit
6. The Parcel is .27 acres and is allowed a maximum of 6 units per the above-mentioned formula
7. Section 3.10.4 notes the following dimensional requirements for lots in the Village Downtown district:
  - a. Lot Area- no lot shall be less than one-eighth(1/8) or 0.125 acre. The purchase of additional land by the owner of a lot from an adjacent lot owner will be permitted, provided such purchase does not create a lot of less than the minimum area required in the Zoning District on the part of the seller
  - b. Lot Dimension - each lot must contain a point from which a circle with a radius of twenty-five (25) feet can be inscribed within the boundary of the lot
  - c. Lot Frontage- a lot must have 50 feet of continuous frontage on a public or private road, or have access to a public or private road by a permanent easement or right-of-way approved by the DRB as regulated by Sections 4.2 and 4.3
  - d. Lot Coverage- the total ground area covered by all structures, parking areas, walkways, driveways and areas covered by impervious materials shall not exceed eighty percent (80%) of the total ground area of the lot
8. The Applicants materials indicates that the lot is .27 acres
9. Lot has frontage on a public road
10. The Applicants narrative indicates that the total amount of coverage for the lot is 80%
11. Section 3.10.5 notes the following height requirements:
  - a. Height- shall be as in Section 4.12 of these regulations.
  - b. Setback- All structures shall have zero (0) feet setbacks, except for a five (5) feet setback for all structures on district boundaries. All development is required to install and maintain a sidewalk to the public works standards on any and all public

road frontage. Placement of the sidewalk and curb cuts or accesses to the property are subject to approval of the Highway Foreman

12. The Applicants narrative indicates that there will be a 5 foot setback on the west side of the property as the westside borders a separate zoning district
13. The Applicants narrative indicates that their project will have 6 two-bedroom units
14. Section 3.10.6 Subsection a. notes that each two-bedroom requires 2 parking spaces
15. Based on the above calculation the project requires 12 parking spaces
16. The Applicants narrative indicates that they will have 12 parking spaces located to the rear of the building
17. Section 3.10.6 Subsection d notes the following traffic impact requirements
  - i. A transportation impact study shall be required for uses which generate more than 70 vehicle trip ends on adjacent roads during the P.M. peak hour for the first 40,000 square feet of land development area or fraction thereof, plus 1 vehicle trip end for each additional 1,000 square feet of land development area. In making the determination of traffic impact, the Administrative Officer or DRB shall utilize “Trip generation – Tenth Edition”, Institute of Traffic Engineers (ITE), or its equivalent, or any subsequent and most recent publication thereof, and may use estimates from other sources, including local traffic counts, if the above publication does not contain data for a specific use or if a use contains unique characteristics that cause it to differ from national traffic estimates
  - ii. For establishments that generate more than 70 vehicle trip ends during the P.M. peak hour, the Development Review Board shall review the level of service of adjacent roads. Based on its review as well as consultation with the Road Foreman, the DRB may put forth permit conditions to mitigate adverse traffic impacts. Permit conditions may include:
    1. Site improvements to improve access management, such as the creation of secondary access points, the reduction of the width of curb cuts, or the like
    2. Improvements to internal circulation, including the creation of narrower roadway widths, pedestrian pathways, and the like
    3. Improvements with connections with adjacent properties, such as, but not limited to, the creation of additional vehicle or pedestrian access points, the installation of signage and traffic lights
18. The Applicants narrative notes that they are not anticipating significant increases in Am or PM trip ends (**DRB should consider requiring Applicants to submit additional information on the number of trip ends generated by this project. The number of anticipated trip ends not provided**)
19. Section 3.10.6 subsection f. notes that the Development Review Board is required to approve the visual aspects of new construction or new or remodeled exteriors. The goal of this requirement is to ensure public ability to review the visual rendering, and the opportunity to provide input. A visual rendering of any new construction or remodeled exterior shall be required as part of a site plan and/or conditional use application. Any changes to the facade, size, or scale of new construction or a remodeled exterior shall require a new visual rendering that portrays the proposed changes and shall require an amendment to the Development Review Board’s original site plan and/or conditional use approval which contains the most recent iteration of the visual rendering. The following shall be considered when reviewing the application:

- a. Compatibility of size, scale, color, materials, and character of the district, and construction utilizing materials similar or the same to the existing buildings of the district, is required for all new construction and all new or remodeled exterior facades
  - b. Applicants shall be required to demonstrate compatibility through examples, research, architectural consultation, or other means
  - c. This compatibility requirement shall not prohibit artistic expression, ability to landscape, commercial viability, creativity, or individuality (**The Applicants have not provided a final visual rendering of the project at this time. The DRB should continue the application until the applicants provide a visual rendering showing color and materials to be used**)
20. Project is subject to Section 4 of the Richmond Zoning Regulations
  21. Section 4.4 notes that no more than one curb cut shall be allowed onto a public or private Road or Highway right of way affording access to a lot. The Administrative Officer or DRB may impose further reasonable conditions regarding curb cuts including consolidation of access points to public or private Road or Highway rights of way, in the interests of minimizing to the greatest degree possible, a multiplicity of curb cuts. Notwithstanding the foregoing, the DRB, in a conditional use or appeal proceeding, may increase the number of curb cuts, where only one curb cut would result in adverse effects on traffic circulation within the site or on traffic on Roads and Highways in the vicinity
  22. The Applicants site plan notes only one curb cut
  23. Section 4.5 notes that there will only be one principal structure allowed per lot unless the lot is part of a Planned Unit Development
  24. The Applicants are proposing an additional principal structure.
  25. This project and meets the definition of Planned Unit Development noted in Section 7 of the Richmond Zoning Regulations
  26. Section 4.9.1 and 4.9.2 notes restriction on residential and commercial noise levels
  27. The Applicants narrative notes that the noise regulations will be complied with
  28. Section 4.10 deals with lighting regulations
  29. Section 4.10.1 that all Richmond property owners or Applicants are encouraged to utilize the following general guidelines when designing and installing or replacing existing exterior lighting fixtures:
    - a. Use the minimum light level needed for the task
    - b. Avoid competitive lighting, in which one source of lighting is increased in illumination to “outshine” a neighboring source
    - c. Light areas evenly and uniformly for better visibility
    - d. Consider the color of the light and limit the use of lighting that provides unnatural color (**Provided more information on what types of colors the lights will utilize. Applicants have provided cut sheets for lighting and an ISO diagram**)
    - e. Lighting should not shine onto adjacent properties or above the horizontal plane, at the elevation of the light fixture (**The Applicants narrative notes that lighting will be downcast and will not cause glare onto neighboring properties and will be in compliance with the lighting levels in the Richmond Zoning Regulations**)
  30. Section 4.10.2 notes the following lighting standards:
    - a. Site Plan. submit a Site Plan proposal that includes all proposed exterior light fixtures: (**Two poll mounted lights are shown on the stie plan. Additional exterior lighting not shown**)

- i. Specifications for all proposed lighting fixtures including photometric data designation as IESNA (the Illumination Engineers Society of North America) “cut-off” fixtures, Color Rendering Index (CRI) of all lamps (bulbs), and other descriptive information on the fixtures such as height and location (**Lighting cut sheets provided. Cut sheets note that lighting is low flow LED. Lighting color not shown on cut sheets or narrative. Lighting is IESNA compliant DRB should require applicants to provided lighting color**)
    - ii. Analyses and iso-illuminance diagrams showing that the proposed installation conforms to the lighting standards in this Section. (**ISO lighting diagram provided**)
  - b. Whenever building elevations are submitted, show exterior fixtures and the portions of the walls to be illuminated. (**ISO diagram has been provided. Light is located in the parking lot and is not mounted directly to the building. ISO diagram does show illumination levels next to the base of the two principal buildings**)
  - c. Lighting installations should include timers, dimmers, and/or sensors to reduce the overall energy consumption and eliminate unneeded lighting. (**Lighting cut sheets notes that the selected lighting has multiple control options. However, the Applicants have not indicated which option they wish to use. DRB could consider requiring a certain control option**)
  - d. Electrical service to exterior lighting fixtures shall be underground unless the fixtures are mounted directly on utility poles
  - e. The mounting height of a lighting fixture shall be defined as the vertical distance from the grade elevation directly below the fixture to the bottom of the lighting fixture (**Mounting height for fixtures noted onsite plan. Mounting height will be 12 feet for poll lights** )
  - f. Lighting associated with normal and customary residential activities and holiday lighting, displayed within 45 days of the State recognized date of the holiday, shall be exempt from this standard
31. Section 4.10.3 notes that parking lot lighting shall be designed to provide the minimum lighting necessary to ensure adequate vision and comfort in parking areas, and to not cause glare or direct illumination on adjacent properties or Roads or Highways (**Illumination chart shows illumination levels of lights in the parking area**)
32. Section 4.10.3 notes the following requirements for parking lots
- i. All lighting fixtures serving parking lots shall be cut-off fixtures as defined by (IESNA)(**Not noted in site plan applicants will need to note if these are cutoff fixtures.** )
  - ii. Alternatives: If a proposal contains a particular “period” or architectural style, an alternative (other than required by this section) primary or supplemental lighting design or fixture may be approved if the following apply:
    - 1. The maximum initial lumens generated by each fixture shall not exceed 2,000 (equivalent to a 150 watt incandescent bulb), when such fixtures are not “cut-off” fixtures as defined by the IESNA
    - 2. The mounting heights of such fixtures shall not exceed fifteen (15) ft.
33. Section 4.10.3 notes the requirements for security lighting for parking

- a. Security Lighting - The purpose of and need for security lighting, i.e., lighting for safety of persons and property, is allowed when part of an overall lighting plan.
    - i. All security lighting fixtures shall be shielded and aimed so that illumination is directed only to the designated area and does not cast direct illumination on other areas. In no case shall any lighting be directed above a horizontal plane through the lighting fixture
34. The Applicants cover letter noted that lighting will be downcast and shielded
35. Section 4.10.7 with the exception of structures having exceptional symbolic (i.e. churches and/or public buildings) or historic significance in the community, exterior building facades shall not be illuminated. When buildings having symbolic or historic significance are to be illuminated, a design for the illumination shall be approved by the DRB, after public hearing, and the following provisions shall be met:
- a. The maximum illumination on any vertical surface or angular roof surface shall not exceed 2.5 footcandles. LIGHTING A/R, HDR, and MHP R/C, G, V/C, JC, VD, and C I/C Mounting Height (Max.) \*\*\* 20' 20' 25' Minimum Illumination Level no less than 0.2 foot candles (fc) no less than 0.2 fc no less than 0.3 fc Uniformity Ratio \* 4:1 4:1 4:1 Average Illumination Level on Vertical Surface no more than 0.3 fc no more than 0.5 fc no more than 0.3 fc Minimum CRI \*\* 70 70 60 **(Lighting on vertical surfaces not shown)**
  - b. Lighting fixtures shall be carefully located, aimed and shielded so that light is directed only onto the building facade. Lighting fixtures shall not be directed towards adjacent Roads and Highways.
  - c. Lighting fixtures mounted on the building and designed to “wash” the facade with light are to be preferred.
  - d. To the extent practicable, lighting fixtures shall be directed downward (i.e. below the horizontal) rather than upward.
36. The ISO diagram notes that lighting by the base of the structure is between .08 and 1.7foot candles
37. Section 4.11.1 notes that buildings shall not exceed 35 feet in height
38. Cover letter notes that the height of the building will not exceed 35 feet
39. The definition of height in the Richmond Zoning regulations notes that Height of building is 35 feet from the heights point of the structure to the average finished grade **(The height of the structure is not noted on site plans. Narrative indicates that building height will not exceed 35 feet. However, it is not clear how height was measured. The Applicants will need to indicate how the height of the structure was calculated)**
40. Section 4.11.2 notes that structures on the roof of a building such as spires, chimneys, cupolas, rooftop solar collectors, domes and belfries may extend up to 45 feet from the average finished grade. Rooftop antennae may extend to 47 feet. [24 V.S.A. §4412 (6 and 8A
41. 4.11.3 notes that all single-family and two-family dwelling uses must include an egress window with a lower sill or threshold that does not exceed 32 feet from adjacent finished grade, and meet all applicable municipal and state fire safety codes **(Windows shown in plan set however egress windows not noted. Applicants will need to clarify which of these windows is an egress window)**
42. 4.11.4 notes that all single-family and two-family dwelling uses shall have at least one point where the threshold of the roof is no higher than 32 feet from the adjacent finished grade to allow for ladder access to the roof by fire and rescue personnel **(The Applicants narrative notes that the roof height will not exceed 35 feet. However,**

**the visual renderings roof line will be a uniform height. Give the flat layout of the lot if both roofs are 35 feet then they will exceed the building height max for fire service. The Applicants will need to rendering a portion of the roof to be at or below 32 feet.)**

43. Section 4.11.5 notes that for all Conditional Use and Site Plan Review applications, applicants must consult with the Richmond Fire Department prior to applying. All Conditional Use and Site Plan Review applications must include a letter of recommendation from the Richmond Fire Department. The DRB shall take into consideration the recommendations the Richmond Fire Department in its review. Permit conditions may include recommendations from the Richmond Fire Department, so long as the recommendations promote the health, safety and general welfare of the inhabitants of the Town of Richmond. **(Letter has not provided)**
44. Section 4.12 goes over the performance standards for building in Richmond
  - a. No vibration resulting from the activities or use of a lot shall be measurable at the lot lines
  - b. No odors resulting from the activities or use of a lot shall be discernible at the lot lines
  - c. Smoke emissions from the activities or use of a lot shall not exceed number two (2) on the Ringelman Chart
  - d. No dust, dirt or fly-ash from the activities or use of a lot shall exceed two-tenth (0.2) grain per cubic foot of flue gas at a stack temperature of five hundred (500) degrees Fahrenheit.
  - e. No noxious gases resulting from the activity or use of a lot shall be discernible at the lot lines
  - f. Hazardous materials and wastes shall be stored on and removed from a lot without causing a release or the threat of a release from a facility on a lot or on adjacent lots, and any such storage, use and/or removal shall protect the public health, safety, welfare and the environment. All uses shall comply with all federal and state laws, rules and regulations for the use, storage, transport, and disposal of hazardous materials and wastes
  - g. No use shall cause, create, or result in an undue adverse impact on municipal facilities and services
  - h. No heat shall be discernible at the lot lines
45. The Applicants narrative notes they intend to comply with the performance standards
46. Applicants proposed development contains a mix of uses
47. Section 4.5 notes there shall be only one Principal Structure on a lot and there shall only be one use on a lot, unless the lot is part of a Residential PUD or PUD (Planned Unit Development) as specified in Section 5.12
48. Section 5.12.1 notes that Applications for PUD or Residential PUD approval shall be reviewed by the DRB as a conditional use, subject to conditional use review and approval under Section 5.6 and concurrently with the review of a subdivision plat, in accordance with the Town of Richmond Subdivision Regulations. A Zoning Permit shall not be issued for any building or development in a PUD or Residential PUD until a Master Development Plan has been approved by the DRB if required by Section 5.12.4.viii. Any subsequent Zoning Permit, site plan or conditional use approval of a proposed development within an approved PUD or Residential PUD shall incorporate all applicable conditions of PUD/Residential PUD and Master Development Plan approval, if required by Section 5.12.4(viii), unless the Master Development Plan is also amended.

49. Section 5.12.2 subsection a. notes that a Planned Unit Development is an allowed use in the Village Downton district
50. Section 5.12.2 subsection e. notes that the DRB may allow for a greater concentration of units than would otherwise be allowed in the underlying district within some section(s) of the development, provided there is an offsetting lesser concentration or an appropriate reservation of open space on the remaining land (**No green space noted**)
51. Section 5.12.2 subsection f. notes the total number of allowable dwelling units in the PUD or the Residential PUD shall not exceed the number that would be permitted if the land were subdivided into lots in conformance with these Zoning Regulations for the Zoning District in which such land is located, and in accordance with Section 2.5 of these Zoning Regulations. The DRB may authorize multiple uses within PUDs in the JC, VD, V/C and R/C Districts. Multiple uses may be allowed on all lots within PUDs in these districts (including pre-existing, nonconforming lots) provided that adding multiple uses shall comply with the PUD standards and other specific criteria of these Zoning Regulations and state law. In any PUD in the R/C District, at least 50% of the gross floor area shall be in residential use. In the V/C District, at least 50% of the gross floor area must be in commercial use. In the JC and VD Districts, any or all floors may be in commercial use. However, in the VD District, residential uses shall be restricted to the second floor and above; and in the JC District, residential uses shall be restricted to the second floor and above and to the walk-out basement floor as long as all applicable Vermont Fire and Building Safety Codes are met (**The Applicants plan set notes that the ground floor of both buildings will be commercial space. The original building will retain its current funeral home use while the new building will have mixed commercial on the ground floor**)
52. Planned Unit Developments require Conditional Use Review
53. Section 5.6.3 notes that conditional use approval requires site plan approval
54. Site plan approval is covered by section 5.5.3
55. Section 5.5.3 Subsection a. notes the DRB may impose the conditions and safeguards upon the approval of a site plan with respect to features authorized by the Act (§4416), as amended. Maps, data, studies, and other information will be requested as needed by the DRB for site plan review. Conditions of approval for site plan review include, but are not limited to, the following:
  - a. Conditions and safeguards with respect to adequacy of parking, traffic access, and circulation for pedestrians and vehicles, including, but not limited to:
    - i. Installation of speed change lanes or frontage roads
    - ii. Limitations on access driveways, or requirement that these be shared with adjacent properties to reduce curb cuts and provide for safe ingress and egress (**One Curb Cut noted on site plan**)
    - iii. Provision for pedestrian traffic, with sidewalks and other walkways clearly separated from vehicular traffic and with appropriately designed road-crossing areas (**Applicants site plan notes sidewalks. However, there are no designated pedestrian crossings in the parking area**)
    - iv. Roads within the site connecting to roads outside the site that will bear substantial traffic loads being constructed to the Public Works Specifications
    - v. Parking must be located to the rear of buildings, or at the side well-screened from view (**Applicants site plan shows parking located to the rear of the building. Plan set also shows tree plantings in parking area**)



- vi. Trails for non-motorized transportation.
  - vii. Provision for lighting adequate to promote traffic and pedestrian safety, while minimizing negative impact on neighboring residences (**Lighting plan, ISO diagram and lighting cut sheets have been provided by the Applicants. Lighting will be downcast**)
- b. Landscaping and Screening - Conditions and safeguards with respect to landscaping and screening, including, but not limited to:
- i. Provision for landscaping that will preserve the character of the existing neighborhood. This may include curbside shade trees
  - ii. Provision of a buffer zone that shall include vegetative screening to conceal outdoor storage or display areas, parking lots, or loading areas, or other outdoor commercial or industrial uses from neighboring residences (**The Applicant's Site plan indicates that existing bushes and swale will be cut back to make room for the parking. Swale and bushes will provided a buffer on the western property boundary**)
  - iii. Requirements that vegetation be indigenous to the area, sight-impervious, large enough to do well, and planted intervals in keeping with other neighborhood foliage (**The Applicants landscaping plan notes that existing hedge will be pruned and maintained. Three new trees will be planted. However, the maintenance plan and plan set does not note if all planting will be native to Vermont/ New England. DRB should request clarification on this**)
  - iv. Retention of currently existing site vegetation (**The Applicants landscaping plan shows existing shrubs on the west boundary being retained**)
  - v. Interim fencing being required while vegetation is growing to appropriate size (**Interim fencing noted in the applicant's erosion control plan**)
  - vi. Provision for the care and maintenance of plantings, including removal of dead or diseased trees or shrubs (**Landscape maintenance plan provided**)
  - vii. The minimum direct landscaping cost shall be at least equal to the total project construction cost multiplied by a certain percentage per the below schedule: Construction Cost Percentage \$0 -\$250,000 3% Next \$250,000 2% Excess over \$500,000 1% In evaluating landscaping requirements, the DRB may grant some credit for existing trees, existing site features or for alternative improvements, other than tree planting, as long as the objectives of this section are met ( **Total project cost not provided. However, the Applicants narrative indicates that it will be over the \$500,000 threshold. They estimate there required landscaping cost to be \$19,500. The applicants are planning to have \$24835.86 in landscaping cost. The DRB should consider requiring the applicants to provide a copy of final construction and landscaping cost prior to getting a CO in order to ensure that landscaping requirements have been met**)
  - viii. In the case of non-residential uses, the required front yard shall be suitably landscaped and maintained in good appearance.(**Project has no front yard**)

- ix. DRB may also require additional landscaping above and beyond the formula for the purpose of adding a buffer strip along I-89 to properly screen development from the highway
  - x. The DRB may require additional plantings or attractive solid fencing, above the normal landscaping requirement, whenever it determines a particular site warrants such additional landscaping, such as to adequately screen two adjacent dissimilar uses from each other, or to improve the appearance of a property which is covered excessively with pavement or structures or is otherwise insufficiently landscaped. All outdoor lighting or parking from public or commercial uses shall be screened from the view of the ground floor of adjacent residential buildings. Auto service stations shall be screened in the same manner from all abutting properties. Recreational vehicle parking areas shall be screened with evergreen trees and shrubs and such landscaping plan shall be part of the application
  - xi. Exterior lighting shall meet the requirements of Section 4.11 of these Zoning Regulations
  - xii. The DRB may require any necessary grading or seeding to restore the condition of any portion of a site that is disturbed during construction.
56. Section 5.6.2 Subsection d. notes a state waste water and potable water permit shall be obtained prior to the use commencing (**Allocation provided**)
57. Section 5.6.2 Subsection e. notes that the development is proposed over a reasonable time period (**The Applicants narrative notes that they are proposing work over one phase and they anticipate the project taking 6-8 months build**)
58. Section 6.1.1 notes that all uses shall provide off road or highway parking that complies with the following standards unless waived by the DRB. The DRB may require that waivers be filed with Town Land Records and that a statement be attached that any change in use may require the construction of loading facilities. The requirements for Loading spaces are as follows: (**The project is under the 5000 square foot requirement for a loading space**)
- a. All loading spaces shall be located on the same lot as the principal use. Loading spaces shall minimize circulation conflicts on the lot. Loading areas shall not be calculated to include required off-Road or Highway parking spaces.
  - b. All loading spaces shall be of sufficient size to allow necessary maneuvering for deliveries without encroaching upon the public right of way, parking spaces, or internal parking lot circulation unless a specific waiver is approved by the DRB. Loading spaces shall be fifteen (15) feet wide by twenty-five (25) feet in length. The DRB may require greater dimensions if deemed necessary to handle projected truck traffic volumes.
  - c. All loading areas shall be hard-surfaced and clearly marked with painting to designate the loading area. This requirement may be waived by the Administrative Officer or the DRB based upon projected traffic counts.
  - d. Loading spaces may be designed to serve one or more businesses located in the same building or on the same lot. The DRB may approve joint usage on adjacent lots provided a written agreement is submitted and filed with a deed
  - e. One (1) space for the first 5000 square feet of gross floor area. One (1) additional space for each additional 30,000 square feet of gross floor area.
    - i. Gross floor area is defined in Section 7.1 as the sum of the gross horizontal areas measured between the exterior faces of exterior walls of the several floors of a building including interior walls, balconies,

mezzanines, hallways, stairwells, and including the area of roofed porches, roofed patios and carports having more than one (1) wall, but excluding basements

- f. Loading areas shall meet screening, landscaping, lighting, and other development standards as specified herein.
  - g. All waiver requests shall be submitted in writing. The Administrative Officer may approve a waiver request for a change in use which does not increase loading requirements or any building expansion which does not exceed five hundred (500) square feet of gross floor area. The DRB may approve waiver requests under one or more of the following circumstances:
    - i. The proposed use will require minimal deliveries which will not interfere with the traffic circulation on the lot.
    - ii. Deliveries are made during non-business hours
    - iii. Existing development makes it impossible to meet loading standards.
59. Section 6.1.2 deals with off road and highway parking requirements.
60. Subsection a. of Section 6.1.2 notes that all required parking spaces shall have a minimum width of nine (9) feet and a minimum length of eighteen (18) feet (**Length and width of parking spaces noted on site plan**)
61. Subsection b. of Section 6.1.2 notes the minimum widths for parking patterns (**Parking appears to be 90 degrees perpendicular with aisle width of 22 feet. However, two-way traffic requires a width of 25 feet. The Applicants will need to request a waiver from this requirement**)
62. Subsection c. of Section 6.1.2 notes minimum parking requirements based on use
63. Applicants are proposing commercial and retail uses (**Applicants will have mentioned in the past that there could be professional office space in this building. The Applicants should clarify how many uses they want approval for and how much square footage will be used for each use to calculate needed parking**)
64. Subsection d. of Section 6.1.2 notes that if the land use or building type is not contained in this zoning ordinance, then the American Planning Association's 'Off Street Parking Requirements' shall provide the range for the number of spaces required
65. Section 6.1.6 notes the other parking standards for the district and lays out the following requirements:
- a. All parking areas subject to administrative review by the Administrative Officer, except for such areas associated with single or two-family dwellings, or other Land Development specifically exempted from site plan review, shall require Site Plan Review (see Section 5.5.1). All parking areas shall be located on the lot for which the parking requirement was generated unless specific alternatives are approved by the DRB (**Parking areas noted on Site Plan**)
  - b. All parking areas shall be hard-surfaced (asphalt or concrete). The DRB may waive this requirement if the Applicant demonstrates that all of the remaining standards of section 6.1.6 will be met. In addition, the following specific standards shall be considered by the DRB when reviewing a waiver request for surfacing requirements: 1) The parking area shall be designed so as to prevent the intrusion of gravel or a similar surfacing material onto the road / Road or Highway travel lanes or adverse impacts on drainage systems (**The Applicants narrative notes that parking will be paved**)
  - c. All parking areas and associated roadways shall be designed and constructed with detention devices, such as, but not limited to overland grassed and/or stone lined swales, detention basins, and settling ponds, in order to assure that the post

development peak flow stormwater volumes from such parking areas and roadways do not exceed the predevelopment quantities based on the run-off from a twenty-five year, twenty-four hour storm event. All such devices shall be designed and constructed to the standards in the Public Works Specifications, except that in the event of a conflict between the Public Works Specifications and the preceding sentence, the preceding sentence shall control. Unless stormwater flows are contained on the lot where such parking areas and roadways are located, there must also be adequate off-site drainage areas to accommodate such flows **(Applicants have submitted a storm water narrative and associated plan set for this application. However the Applicants Narrative notes they designed for a 10 year 24 HR storm event. They mentioned the modeled for a 25 year storm. The Applicants will need to make sure that the system is designed to accommodate a 25 year storm event)**

- d. All parking areas shall provide for persons with disabilities which are clearly designated and marked, and signed, using the international symbol for access required by Title 21 V.S.A. Section 275, as amended, for use by such persons only **(ADA parking spaces not noted on site plan )**
- e. State, municipal or private commuter lots shall be approved by the DRB subject to Site Plan Review under Section 5.5.
- f. All parking spaces shall meet the setback standards for the district in which it is located except parking in driveways in the Agricultural / Residential District for single-family residential uses, parking in the Jolina Court Zoning District, and the Village Commercial District. Refer to Section 3.9 for specific requirements regarding parking and setbacks in the Jolina Court Zoning District, and Section 3.5.4 for specific requirements regarding parking and setbacks in the Village Commercial District **(Parking meets setback requirements)**
- g. The DRB may require screening for any parking lots located within any front yard. Screening shall emphasize the separation of parking lots from adjoining public Roads or Highways to minimize glare from vehicle headlights onto public Roads or Highways. The use of berms and landscape materials is the preferred method of screening. The DRB may approve fencing, if it determines the more preferred methods are impractical **(Parking is located behind the building and is screened from view of the public road)**
- h. All parking lots shall be landscaped as approved by the DRB. **(Parking is screened on the west side by hedges and a swale. The parking to the south and east is screened by buildings)**
- i. The design of all parking lots shall incorporate measures to minimize safety hazards to pedestrians. Pedestrian paths shall be designated and clearly marked. Separation of vehicle and pedestrian traffic shall be included in all parking lot plans where possible. The DRB may waive this requirement due to unique characteristics of the lot, or innovative alternative designs **(Sidewalks are present on-site plans. However cross walks linking sidewalks are not noted)**
- j. Parking lots shall be designed to encourage bicycle access. Any parking lot which is required to have fifteen (15) or more parking spaces shall provide bicycle racks at a location convenient to the main entrance to the business. The DRB may waive this requirement if in their judgment the business will not generate bicycle traffic **(Given the mix of commercial and residential parking the applicant should be required to supply bike racks given that they are required to have more parking than what is provided. However, the applicants argue in their**

**narrative that they are not required to install bike racks as they only built 12 parking spaces for their residential units. However, since they are requesting a waiver for the parking requirements for the commercial space the board should consider taking these spaces into account when considering the need for bike racks. DRB can wave this requirement if they choose to)**

- k. Hard surfaced parking spaces shall be clearly striped and maintained and shall meet standard parking dimensional requirements as specified by the DRB
- l. The DRB may require the use of uniform ingress and egress signs, traffic control signs, and other signs as necessary to direct the flow of traffic.
- m. Lighting shall be provided in all parking lots as approved by the DRB and in conformance with Section 4.11, Exterior Lighting, of this Regulation. **Lighting located on site plan**
- n. Joint parking arrangements may be approved by the DRB, provided that the Applicant has submitted legal documentation to guarantee continued long-term availability of said parking. Within any shopping center or other areas where joint parking has been established, the DRB may not approve any site plan amendments or other use changes which would increase parking needs, or any waivers of parking requirements, until the Applicant has submitted proof of notice to all tenants or shared parking participants of the proposed change.
- o. All fire lanes as recommended to the DRB by the Fire Chief shall be clearly designated by pavement markings and/or signage. All designated fire lanes shall be kept free from obstruction at all times. Vehicles parked within a designated fire lane for any period of time shall be subject to immediate towing at the owner's expense **(Fire lanes not noted on site plan. Applicants will need to provided information as to where the Fire Lane will be located)**
- p. The DRB may waive some or all parking requirements and may place conditions on a waiver as necessary to guarantee adequate parking. The DRB may require any change in use on any property where a waiver has been granted to be reviewed for parking impacts, and the change shall be prohibited if it is deemed to generate a parking deficiency. The DRB shall determine that one or more of the following standards are met at a specific location prior to granting a waivers:
  - i. The proposed uses have staggered business hours with minimal overlap in business hours
  - ii. The Applicant presents evidence that the parking requirements are excessive based upon new parking studies, traffic engineering data, or obvious and apparent existing parking demands
  - iii. The Applicant demonstrates that the demand for parking is reduced because the type of business proposed substantially relies on pedestrian traffic
  - iv. The Applicant demonstrates that sufficient off-Road or Highway parking is available at other locations within two hundred (200) feet which are, or have been approved by the DRB.
  - v. The use of mass transit, or other alternate transportation reduces parking demand
  - vi. Joint parking facilities with abutting businesses are sufficient to meet parking demand
  - vii. The I.T.E. (Institute of Traffic Engineers) Parking Manual, or other professional source, provides data which demonstrates parking demand for

a proposed use is less than the standards specified in these Zoning Regulations.

66. The Applicant are requesting a waiver to the parking requirements for the commercial spaces
67. The Applicants narrative notes that there is existing offsite parking and the uses will have staggered hours
68. Section 5.12 notes that Planed Unit Developments are Subdivisions
69. Article 4 section 420 lays out the criteria for Final Subdivision approval
70. Section 420.2 notes that the final subdivision plat 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:  
**(The applicants have submitted a plan set. However, the Plat page is not included)**
  - i. 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;
  - ii. Road names and lines, pedestrian ways, recreational trails, lots, reservations, easements and areas to be dedicated to public use, if any;
  - iii. 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;
  - iv. the length of all straight lines, the deflection angles, radii, length of curves, tangent distances and bearings for each road;
  - v. all public open space for which offers of dedication are made by the subdivider, and those spaces for which title is reserved by the subdivider;
  - vi. 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 structures
  - vii. The location of any zoning overlay district(s) applicable to the proposed subdivision
  - viii. Location of well shields on all lots;
  - ix. Location of any existing or proposed easements on all lots;
    - x. Location of all of the improvements referred to in article vi, landscaping, utility poles, and rough grading and other devices for draining the area within the subdivision;
    - xi. 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.;
    - xii. Names of all subdivisions immediately adjacent and the names of adjoining property owners; and
    - xiii. Subdivision location map.
71. Section 420.3 notes that along with the final subdivision plat, the subdivider shall submit to the town a set of materials that constitute a final subdivision plan, which shall include the following information:

- i. Location and envelope area of wastewater disposal system(s) including primary and any required replacement areas, and a letter from the wastewater disposal system designer stating that all such systems will be designed and constructed in conformance with all applicable state regulations and standards
- ii. Location of and envelope area of all existing and proposed sources of potable water and wastewater system(s)
- iii. Location and design of all of the considerations and improvements referred to in Article V (Planning Standards) and Article VI (Required Improvements and Design Standards)
- iv. Identification and methods of protection of natural features or site elements (i.e., streams, ponds, wetlands, flood plain, forest stands, established large animal habitat, rock outcroppings, etc.)
- v. Typical cross sections and proposed grading of roadways
- vi. Designs of any bridges or culverts which may be required on the subdivision
- vii. A signed statement reciting: a) the location, type and length of any proposed road or roads. All roads shall be designed to the specifications in section 600 of these Subdivision Regulations
- viii. The nature and extent of any recreational features, open spaces, parks, or playgrounds to be provided, if any, and whether or not and under what conditions they are intended to be dedicated to the Town.
- ix. Contours of finish grades at five (5) foot intervals if finished grade varies from existing grade by five (5) feet or more, except that contours at two (2) foot intervals shall be shown in areas where wastewater disposal systems are to be located
- x. At the discretion of the DRB, letters from the Chittenden East School District Superintendent, the Richmond Police Chief, the head of Richmond Rescue, and the Richmond Fire Chief indicating their assessment of the impact of the proposed subdivision on the provision of school, police, rescue or fire protection services, or letters from others on relevant issues
- xi. A letter from a professional engineer retained by the subdivider stating that all proposed public and private infrastructure is in compliance with these Subdivision Regulations and other standards established by the Town of Richmond such as zoning regulations, Public Works Specifications or other standards; and
- xii. Any other documents required by the DRB as a result of sketch plan, preliminary subdivision, or final subdivision review and these Subdivision Regulations. The DRB may vote to waive any of these application requirements in accordance with Section 704, if it finds that the information waived is not necessary to determine whether the final subdivision plan is in conformance with the standards and requirements of these subdivision regulations and the zoning regulations

72. Section 600.4 notes that access points shall be consolidated to limit the number of curb cuts. **(Only one curb cut noted on plan set )**

73. Section 600.6 notes that dead end roads shall terminate in a circular turnaround with an outside radius of not less than 60 feet approved by the DRB or a hammerhead turnaround approved by the Selectboard

74. Section 600.14 notes that the DRB may require sidewalks and bike racks in the subdivision (**The Applicants site plans note sidewalks but no bike racks**)
75. Section 640 notes that The DRB may require the permanent planting of new trees and shrubs in subdivisions which are lacking in trees or shrubs or in which substantial loss of trees or shrubs will result from road construction and development of the subdivision. such trees or shrubs shall be of a type indigenous to Vermont, preferably of high wildlife conservation value, shall be planted in fertile and fertilized ground in accord with standard horticultural practices, and shall be watered and nurtured until growth is assured. trees shall have a minimum trunk diameter at a point six (6) inches above the ground level of two (2) inches, shall be planted close to the right-of-way line at average intervals of no more than sixty (60) feet, and shall be free of branches between ground level and a point six (6) feet above ground level (**The Applicants narrative and plan set notes that the landscaping will include 3 trees that will meet this requirement**)
76. Section 650.1 notes that the applicants will provide a design for a drainage system which will remove any water and storm runoff which traverse the site (**The applicants plan set and stormwater narrative notes a storm water plan**)
77. Section 650.4 notes that the drainage system and all easements shall be designed to accommodate a 25-year storm event (**Applicants storm water plan appear to be designed for a 10-year storm. The Applicants will need to provide additional information as to whether the system the designed meets the 25-year model**)
78. Section 650.5 notes that the smallest practical area of land shall be bare at any one time during development. Any exposure shall be kept to the shortest practical period of time. The DRB may require temporary vegetation, mulching, and/or structural measures to protect exposed areas. The subdivider shall install and maintain appropriate sediment basins during development to remove silt and to control runoff. The subdivider shall install permanent vegetation and erosion/runoff control measures as soon as practical. There shall be adequate permanent measures at culvert outfalls to prevent erosion and disruption of drainage ways (**The Applicants have presented an erosion control plan**)
79. Section 670.1 notes that the final subdivision plat shall show all utility systems, existing and proposed. The subdivider shall coordinate subdivision design with the utility companies to ensure adequate and suitable areas for installation, both for proposed subdivision and for areas adjacent to the subdivision. (**Utilities shown on Site Plan**)
80. Section 670.2 notes that all utilities should be underground

#### **Items for DRB Consideration**

1. **Continue the application till the following information has been provided**
  - a. **Visual rendering of the project with materials and color**
  - b. **Elevation diagram showing a section of roof that is 32 feet or lower**
2. **The DRB should consider requiring the Applicants to supply the following information**
  - a. **Fire lanes shown on site plan**
  - b. **Plan set for new building**
  - c. **Bike racks shown on site plan**
  - d. **Provided lighting information for vertical surfaces**
  - e. **Plans for how trash will be handled**
    - i. **If trash is to be picked up by truck turning diagram for garbage truck**



- f. Crosswalks linking parking area to sidewalk**
  - g. Conformation that stormwater system is designed for a 25-year 24-hour event**
  - h. Provide a plat page**
  - i. Conformation that all landscaping will be native to Vermont or New England**
  - j. Conformation as to the types of uses in the commercial space as well as the anticipated square footage requirements**
  - k. Visual Rendering showing colors and materials to be used on the exterior of the building**
- 3. DRB should consider waiving the parking requirement for the commercial spaces but still count it towards the bike rack requirement**