



Planning & Zoning Office
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Town of Richmond Development Review Board Staff Notes 11/8/2023

RE: CU2023-06 The applicant, Noyes Properties LLC, is seeking Conditional Use Review to amend their Planned Unit Development by adding new uses to the list of approved uses for their property located at 53 Railroad Street. The applicant seeks to add the following uses:

- Catering
- Educational Facility
- Private Club
- Research Lab
- Office, Professional and Business
- Arts and Crafts
- Wholesale Trade
- Personal Service

The Applicants have a tenant that is interested in running a wellness business that is focused on prenatal care and other associated services.

PARCEL HISTORY:

1. Zoning permit 21-047, Approved 6/14/21
2. PUD amendment SUB21-04/CU21-0, Approved 4/1/21
3. Zoning permit 13-012, Approved 2/6/13
4. Conditional Use and Site Plan Review application 12-183, Approved 1/16/13
5. Boundary Adjustment 06-120, Approved 7/13/06

LIST OF SUBMISSIONS:

- A. Conditional Use Application
- B. Cover Letter
- C. Abutters List
- D. Narrative
- E. Floor Plans and Elevations

PROCEDURAL INFORMATION:

1. Application submitted on 10/23/23
2. Agenda placed in Seven Days 10/23/2023
3. Notice placed on Town website and at three locations in town on 10/23/2023
4. Abutters notified on 10/23/2023
5. Notice sent to Applicant 10/23/2023
6. Application Continued to 10/23/2023

7. Application Continued to 10/23/2023

STAFF COMMENTS (In Bold):

1. The applicant, Noyes Properties LLC, is seeking Conditional Use Review to amend their Planned Unit Development by adding new uses to the list of approved uses for their property located at 53 Railroad Street. The Applicants have a tenant that is interested in running a wellness business that is focused on prenatal care and other associated services. The applicant seeks to add the following uses:
 - a. Catering
 - b. Educational Facility
 - c. Private Club
 - d. Research Lab
 - e. Office, Professional and Business
 - f. Arts and Crafts
 - g. Wholesale Trade
 - h. Personal Service
2. The property is located in the Village Commercial district and is covered by Section 3.5 of the Richmond Zoning Regulations.
3. The property contains an existing Planned Unit Development and will be subject to Section 5.12.
4. Section 3.5.2 notes that a Planned Unit Development is an allowed use with conditional use approval by the Development Review Board.
5. Section 5.12.2 notes that Planned Unit Developments allow multiple permitted and conditional uses on a lot.
6. The existing Planned Unit Development has the following uses already approved.
 - a. Bank
 - b. Professional Office
 - c. Residential
7. The Applicant is seeking to add the following permitted uses
 - a. Personal Service Business
 - b. Retail
8. The Applicant is seeking to add the following conditional uses
 - a. Catering
 - b. Educational Facilities
 - c. Private Club
 - d. Research Laboratory
 - e. Wholesale trade
9. The Applicants narrative notes that all of the additional uses are proposed for the existing building footprint. No enlargements to the building or parking area are proposed at this time.
10. Planned Unit Developments require Conditional Use and Site Plan review and are subject to Section 5.5 and 5.6 of the Richmond Zoning Regulations.
11. Section 5.5.2 notes the following Requirements for Site Plan Review:
 - a. Name and address of owner(s) of the parcel.
 - b. Names and addresses of all abutters, including those across contiguous Road(s) or Highway(s).
 - c. Unless waived by the DRB for good cause, a site plan shall be prepared by a registered surveyor, professional planner, engineer, architect, or landscape

planner. In all events, the site plan shall be drawn to scale, and submitted with written supporting data, showing the following:

- i. Existing features: contours, structures, utility easements, rights-of-way, deed restrictions, significant landscape features, roads or highways, surveyed boundaries, dimensions, total lot size.
 - ii. Proposed Land Development: land use areas, structures, driveways, curb cuts, parking and loading areas, traffic circulation, pedestrian walkways, outside display areas, signs, site grading, landscaping, plantings and screening, setbacks and buffer strips, outside lighting, equipment and waste storage areas and sewage disposal areas.
- d. Information as to the time period or phasing for completion of the project.
- e. The DRB may also require the following submittals:
- i. Security as provided in Section 8.2.5.
 - ii. Formal traffic study if a substantial alteration in public traffic flow is anticipated or a largescale parking area is planned. This may include analyses of traffic volumes, average daily trips, turning movements, patterns of ingress and egress, levels of service on roadways and at intersections, and modes of traffic control. **(The Applicants are not proposing any changes to the building footprint or parking. They are just looking to add the above-mentioned uses to the PUD. Given that no exterior changes to the building, landscaping or parking are proposed the board should consider waving the requirement that the site plan has to be done by a professional surveyor. The Applicants application materials do provide an interior floor plan and exterior elevations. However, the Applicants narrative notes that the business will have a sign. The Applicants have not provided any visual renderings indicating what this new signage would look like. The DRB should consider requiring the applicants to submit the proposed signage to the Zoning Administrator prior to pulling a zoning permit).**
12. The Applicants will be looking to change the sign as a result of the new business.
13. The Applicants have not provide a copy of the signage however they note that it will be the same dimension as the previous Northfield Savings Banks sign.
14. Section 5.5.2 subsection d notes that the DRB approves the location of any signage. **(The Applicant is looking to do a one to one replacement of the content of the existing signage. The signage will be located in the same location as the previously approved sign).**
15. Section 5.5.3 subsection b. lists the following conditions of approval for Site Plan Review:
- 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.
 - 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.
 - iv. Retention of currently existing site vegetation.
 - v. Interim fencing being required while vegetation is growing to appropriate size.

- vi. Provision for the care and maintenance of the landscaping.
 - vii. Minimum Landscaping Costs. 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:
 - 1. \$0-\$250,000-3%
 - 2. Next \$250,000 -2%
 - 3. Excess over \$500,000-1%
 - viii. In the case of non-residential uses, the required front yard shall be suitably landscaped and maintained in good appearance.
 - 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.
 - xi. Exterior Lighting. Exterior lighting shall meet the requirements of Section 4.11 of these Zoning Regulations. Site Restoration. The DRB may require any necessary grading or seeding to restore the condition of any portion of a site that is disturbed during construction. (**The Applicants are not proposing any exterior changes to the building and therefore wont trigger the landscaping requirement**)
16. Section 5.6 covers Conditional Use Review
17. Section 5.6.2 notes the following specific requirements:
- a. Obnoxious or excessive noise, smoke, vibration, dust, glare, odors, electrical interference or heat that is detectable at the boundaries of the lot shall not be generated.
 - b. There shall be no outside displays except those that are brought indoors at the end of the business hours and are the actual product of the business.
 - c. Outside storage of goods, parts, supplies, vehicles machinery and other personal property shall be appropriate to the neighborhood and shall not impair safety.
 - d. A State Wastewater and Potable Water Supply Permit shall be obtained before the use commences.
 - e. The development is proposed over a reasonable time period in order that the general and specific standards for conditional uses may be met
 - f. In determining the appropriateness of the use in the Zoning District, the DRB shall consider the scale of the proposal in relation to the scale of existing uses and structures.
 - g. No fire, explosive, or safety hazard shall be permitted that, in the judgment of the DRB, after consideration of the advice of Richmond firefighting officials, significantly endangers other property owners or emergency personnel.
 - h. The development shall not result in an Undue Adverse Effect on state- or community-owned and operated institutions and facilities.(**The applicants narrative indicates they will comply with all of the requirements notes in Section 5.6.2**)
- 18.
19. The project will be subject to the parking requirements noted in Section 6.1

20. Section 6.1 subsection e. notes that one loading space is required for every 5,000 in gross floor area.
21. The existing building has 1972 square feet and therefore does not require a loading space.
22. The project is subject to Section 6.1.2 of the Richmond Zoning Regulations.
23. The retail use is the most parking intensive of all of the uses.
24. Retail requires 2 parking spaces per 1000 feet square feet.
25. The existing building is 1972 square feet and requires 4 parking spaces.
26. The building currently has 8 parking spaces and a designated ADA space.

RECOMMENDATIONS TO THE DRB:

1. Waive the requirement for a formal site plan given that the applicants are not proposing any changes to the building, parking or landscaping.
2. Approve the application with the following conditions.
 - a. Prior to obtaining a zoning permit the Applicants shall provide the Zoning Administrator visual renderings for a sign that will comply with Section 5.7 of the Richmond Zoning Regulations.