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Town of Richmond Development Review Board Staff Notes 1/8/24

Re: PRESUB2025-01- The Applicants are seeking preliminary approval for a proposed two lot subdivision that will create two new lots, Parcel 3 and Parcel 5. Parcel 3 of this proposed subdivision is 168.7 acres and will be improved with a single-family residence. Parcel 5 is 2.57 acres and will be improved with a single-family residence.

PARCEL HISTORY:

1. Sketch Plan Application for a 3-lot subdivision, 8/12/87
2. Building Permit 45, Approved 9/9/1987
3. Final Subdivision Application for a 3-lot subdivision, Approved 10/22/1987
4. Building Permit 12, Approved 4/19/89
5. Access Permit 03-208, Approved 11/17/2003
6. Administrative Subdivision, Approved 06/28/06
7. Sketch Plan Application SKP2023-15, 12/13/23

LIST OF SUBMISSIONS:

- A. Cover Letter
- B. Rural Road Request Letter
- C. Preliminary Subdivision Application
- D. Application Checklist
- E. Abutters List
- F. Project Narrative
- G. USGS Location Map
- H. VT ANR Natural Resource Maps
- I. Sight Distance
- J. Survey Plat Sheet 1
- K. Survey Plat Sheet 2
- L. Overall Subdivision Plan
- M. Access Plan
- N. Rural Road Plan
- O. Rural Road Plan Details
- P. Master Development Plan
- Q. Wastewater Site Plan 1
- R. Wastewater Site Plan 1A

PROCEDURAL INFORMATION:

1. Application received 12/19/2024
2. Warning and agenda sent to Seven Days 12/20/2024
3. Hearing notice sent to applicant 12/20/2024
4. Abutters letter sent 12/20/2024

STAFF NOTES (In Bold):

1. The Applicants are seeking preliminary approval for a proposed two lot subdivision that will create two new lots, Parcel 3 and Parcel 5.
2. Parcel 3 of this proposed subdivision is 168.7 acres and will be improved with a single-family residence.
3. Parcel 5 is 2.57 acres and will be improved with a single-family residence.
4. The project is located in the High-Density Residential zoning district and is subject to Section 3.2 of the Richmond Zoning Regulations.
5. Single Family homes are an allowed use as noted in Section 3.2.1
6. The project will be subject to the dimensional standards noted in Section 3.2.3 of the Richmond Zoning Regulations.
7. Lots size is as follows:
 - a. Parcel 3-168.7 Acres
 - b. Parcel 5-2.57Acres
8. Parcels 3 and 5 meet the minimum lot requirements noted in Section 3.2.3.
9. The project will also be subject to Section 4 of the Richmond Zoning Regulations, specifically Sections 4.1, 4.2, 4.3, and 4.4.
10. Section 4.1 notes that all projects have to comply with the Richmond Public Works specifications.
11. The Applicants in their narrative indicated that they wish to make use of the town's Rural Road Specifications rather than the road regulations found in the Richmond Public work Specifications.
12. Section 1.5 of the Richmond Public Work specifications notes that subdivisions consisting of 4-9 single family lots may use the Rural Road Specifications.
13. Rural Road standards only apply to access that serves four or more lots. The access can continue with driveway standards past that point as noted in the Purpose and Authority Section of the Rural Road Standards.
14. The Applicants note that they would like to request a waiver from some of the Rural Road Specifications due to potential complications with the existing wetland on the property.
15. Development in wetlands are regulated by Section 6.9 of the Richmond Zoning Regulations.
16. Section 6.9.2 notes that no land development shall occur within a class I or II wetland buffer unless approved by the Vermont Wetlands Program.
17. The Applicants plan set notes a 50-foot wetland buffer as required for Class II wetlands as noted in Section 6.9.3.b. The applicants plan set does not indicate any new development in the existing wetland or wetland buffer at this time. **(The Applicants are not proposing any work inside of the wetland buffer. The existing driveway would be used to serve the new development with no new incursion into the wetland buffer.)**
18. Section 200.1 of the Rural Road Specifications outlines the waiver process. It notes the following "Waivers of any specification or standard from these guidelines shall only be permitted when extenuating physical limitations (not financial) are present on the site and both the Development Review Board and Selectboard agree to such specific waiver request, in writing".
19. The Applicants are seeking a waiver to the Rural Road Standards to allow the hammer head turnaround to be located 500 feet further into the property past where the rural road standard would end.
20. The Applicants note that the rural road standards end roughly 275 feet from Jericho Road.
21. Section 600.6 of the Subdivision Regulations notes that dead-end roads must end in a hammerhead turnaround and must be 60 feet in diameter and be located where the requirement for the road standards end.
22. The Applicants letter notes that there is an existing wetland and wetland buffer on the property. The letter notes that requiring the hammerhead to be located closer to Jericho Road would not be useful as it would only service one home and would have to be located outside of the 50-foot wetland buffer
23. Extending the hammerhead further would allow the hammerhead to service more homes. However, due to the wetland and wetland buffer the Applicant does not want to widen the driveway to the Rural Road standards. The applicants wish to utilize the existing gravel drive to service the hammerhead turnaround. This will minimize the impact to the wetland. **(The Board**

will need to consider whether it is acceptable to locate the hammerhead turnaround further into the property than what is required without upgrading the driveway to a rural road.)

24. Section 200.1 of the Rural Road Standard notes that “Waivers of any specification or standard from these guidelines shall only be permitted when extenuating physical limitations (not financial) are present on the site and both the Development Review Board and Selectboard agree to such specific waiver request, in writing”.
25. The Applicants letter notes that existing wetland and wetland buffer are physical limitations that would prohibit them from extending the rural road to the proposed hammerhead location.
26. Rural roads are required to meet the standards noted in Section 400 of the Rural Road Specifications.
27. The Applicants have provided the information noted in items 1 and 2 of Section 400.1 of the Rural Road Specifications.
28. Item 3 of Section 400 of the Rural Road Standard notes that professional erosion control plans may be required for DRB review and will be required for roads with a grade of 10-12%.
29. Per the Applicants plan, the proposed road would be under the 10% threshold for mandatory erosion control plans.
30. The applicants plan set shows erosion control plans for the Rural Road and hammerhead turn around.
31. The Applicants have supplied the required information noted in items 4-12 of Section 400.1 of the Rural Road Specifications.
32. The Applicants have not provided a private road waiver noted in Section 400.1 item 13 of the Rural Road Specifications.
33. The Applicants have submitted the required information noted in Section 400.2 of the Rural Road Specifications.
34. The proposed gravel drive is subject to the Driveway Standards noted in Section 6.2 of the Richmond Zoning Regulations.
35. The Applicants have provided the information noted in Section 6.2.
36. Neither Parcels 3 or 5 have frontage on a public road and will require an easement to use the shared road and driveway to access Jericho Road as noted in Section 4.2 of the Richmond Zoning Regulations. **(The applicants site plan notes that both the road and the driveway are intended to be shared assets. Rights of Way are noted on the site plan).**
37. The Applicants have not provided the legal documents for these Rights of Way at this time. **(Applicants should be required to submit this information before submitting for final approval)**
38. The Applicants have submitted the required information noted in Section 4.3 of the Richmond Zoning Regulations.
39. This proposed subdivision will be served by a preexisting curb cut and will be the only curb cut servicing the project in compliance with Section 4.4 of the Richmond Zoning Regulations.
40. Subdivision applications also have to comply with the Richmond Subdivision Regulations
41. Section 300 of the Richmond Subdivision Regulations covers regulations for preliminary subdivisions.
42. The project will have to comply with all of the Preliminary Subdivision requirements in Section 310.1 and Section 310.2 of the Richmond Subdivision Regulations.
43. The Applicants have submitted the information for Section 310.1
44. The Applicants have submitted the information noted in items 1-10 and 12-14 of Section 310.2. of the Richmond Subdivision Regulations.
45. The Applicants have not submitted a specific plan for maintaining open spaces or natural features. **(The board should consider to what extent natural features need to be protected on this site)**
46. The Applicants have not indicated that the site was staked with field markers as noted in Section 320. **(The Board should Consider whether to waive this requirement or not per the waiver section in Section 310 of the Richmond Zoning Regulations).**

ITEMS FOR DRB CONSIDERATION:

1. Consider whether to grant the waiver to the Rural Road Specifications as required by Section 200.2 of the Rural Road specifications.
2. Consider how much protection natural features need per Section 310.2.11 of the Richmond Subdivision Regulations.
3. Consider waving the field marker requirements noted in Section 320.

RECOMMENDATIONS TO THE DRB:

1. Approve the preliminary application with the following conditions
 - a. Grant the waiver requested by the applicant.
2. Approve the preliminary application with the following conditions.
 - a. Deny the waiver and require the applicant to build the hammerhead closer to Jericho Road.