



Town of Richmond
Planning & Zoning Office
P.O. Box 285
Richmond, VT 05477
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MEETING MINUTES 1/14/2026 DRB MEETING

DRB Members Present: David Sunshine (Chair), Matt Dyer (Vice Chair), Padraic Monks, Matt Parisi, & Robert DiPalma.

DRB Members Absent: N/A.

Staff: Danté DeNault (Acting Zoning Administrator & E911 Coordinator).

Public Attendance: Patty Gilbert (Applicant/Landowner), Doug Goulette (Applicant/Engineer), Erin Allan (15 Beatty Lane), Tyler & Rachel Cohen (330 Beatty Lane), Matt Tabasko (65 Beatty Lane), and MMCTV.

Start Time: ~7:00 p.m.

Summary

Agenda Item # 1: SKP2025-09, 345 Beatty Lane (Parcel ID: BE0345)

- Applicant Patricia “Patty” Gilbert, co-represented by Doug Goulette from the Bowman Company (f/k/a Trudell Consulting Engineers), presented opening remarks on a proposal to subdivide 345 Beatty Lane, an existing 23.1-acre lot into four (4) lots of 1.1 acres (Lot 1), 1.4 acres (Lot 2), 6.9 acres (Lot 3), and 13.7 acres (Lot 4).
 - o Goulette discussed the history of the parcel.
 - 345 Beatty Lane was created by a four-lot subdivision (15-054) that was finalized in 2016.
 - Gilbert is currently developing the lot by building a single-family home.
 - A gravel driveway serving one lot presently exists.
 - A single-family dwelling is being built.
 - A mound system was tested and is under construction.
 - And a well has been drilled.
 - o Fourteen (14) soil test pits were conducted in and around the area of the existing house.
 - Soils were consistent with what was found ten (10) years ago. The ground is suitable for mound systems—sewer capacity does not appear to be a limiting factor.

- Goulette discussed satisfaction with Zoning Regulations for lot density, slopes, and re-delineated wetlands.
 - Slopes are about 8-15%.
 - Lot density in the Agricultural/Residential (A/R) district is one acre, all proposed lots to be subdivided are greater than one acre.
 - As a part of their Act 250 permit, upon request of the State Wetlands folks, the wetlands were recently re-delineated.
 - There are no proposals to make any improvements within the wetland buffer or the wetland itself.
- Goulette acknowledged that, to serve four proposed lots, Gilbert's driveway would have to be upgraded to Rural Road Standards for the first few one hundred (100) feet to the end of the first driveway for proposed Lot 1.
- Monks questioned the need for an operational stormwater infrastructure permit.
 - Goulette responded with not yet, opining that it'll be a close call with this proposed development.
 - Goulette confirmed that, at this time, no stormwater systems have been planned. Even if a requirement exists, Goulette is confident that enough room on the proposed lots exists to make it work.
 - Sunshine later opined that the State will probably require an operational stormwater infrastructure permit.
- DiPalma asked a few questions on the existing roads.
 - On layout, DiPalma asked where Palmer Lane ends. He further asked where Owl's Nest Road and Beatty Lane begin.
 - Gilbert explained the history of Palmer Lane.
 - Palmer Road went up to Don Palmer's driveway, which later became Palmer Lane.
 - DiPalma asked if Palmer Lane is a town highway.
 - Gilbert said that it is a class four road.
 - Goulette was unsure what the class of road is.
 - On maintenance of Palmer Lane, Goulette explained that Town of Hinesburg is in some sort of agreement with the Town of Richmond to plow to the end of the existing hammerhead.
 - DiPalma questioned who owns and maintains Beatty Lane.
 - Gilbert explained that Beatty Lane is a private road that is within a class four right of way (the right of way that would connect with Williams Hill Road).
 - Goulette and Gilbert discussed that Beatty Lane starts where Owl's Nest Road begins.

- Gilbert confirmed that all section of road above the turnaround that the Town of Hinesburg plows too is the responsibility of the Beatty Lane homeowners.
 - Sunshine explained that an updated Road Maintenance Agreement will be needed for the next application (preliminary subdivision).
- Neighbor Tabasko confirmed that the landowners on Beatty Lane maintain the Road up to the existing turnaround.
 - When questioned by Sunshine if the map is correct, Tabasko confirmed that, to his understanding, the Road as depicted is correct.
- DiPalma inquired if Town of Richmond permission was needed to use the existing class four road for access to these lots.
 - DeNault noted that a Town Access Permit exists for Gilbert's driveway.
 - Goulette noted that Owl's Nest Road also encroaches into the old Town right-of-way.
- DiPalma wondered if the proximity of proposed mound systems for Lot 1 and Lot 2 creates any potential permitting problems.
 - Goulette explained that the usual distances between mound systems are 25 feet from toe to toe.
 - DeNault noted a belief that mound systems are not subject to zoning setbacks.¹
- Gilbert noted that a new driveway maintenance agreement will also be needed for lots to be served by her existing driveway.
- New neighbor Tyer Cohen (330 Beatty Lane) asked two questions.
 - Cohen first inquired about who would keep rights to the right-of-way that extends across their property.
 - Gilbert explained that Lot 4 would retain the right-of-way through 330 Beatty Lane.
 - Cohen then asked if the proposed building envelopes for the four-lot subdivision are the only ones in play at this time.
 - Sunshine explained that if applicant wanted to move a proposed house site, that DRB approval would be needed.
 - Goulette agreed with the process.
- Monks inquired about the submission of a Master Development Plan. He explained that a document titled master development plan, whether or not future development is proposed, may be needed.

¹ See Richmond Zoning Regulations § 7.2 ("Setback.... Setbacks for septic systems shall be dictated by state law."); see also RZR § 7.2 ("Structure... The term structure does not include tanks that are fully underground, septic system components, or on ground improvements.").

- Gilbert explained that, in her mind, she plans to sell a lot to cover costs. She plans to put the last lot, Lot Four, into trust for her kids. Her hope is to keep two of the Lots as long as she can.
- DeNault read into the record the existing master development plan clause from Section 610.1 of the Richmond Subdivision Regulations, “For any portion of the parcel or LOT not proposed for LAND DEVELOPMENT in the SUBDIVISION as of the application date, a master development plan is required.”
- Dyer inquired if the Regulation was applicable in this case where development is proposed on all lots to be subdivided.
 - He opined that the master development plan may not be applicable here under this development proposal; HOWEVER, he believed that it would be better safe than sorry to submit a document titled master development plan.

TRANSCRIPT

Start Time: ~7:00 p.m. (note: the timestamps below correspond to the Zoom recording).²

DeNault 06:05

All right everyone, I'm seeing its seven o'clock. We have a full board here and speaking online, and we have the applicants here as well in person. David, do you want to take it away?

Sunshine 06:15

Sure. Thank you. Welcome everybody. I'm sorry, what?

DeNault 06:20

And we are recording as well.

Sunshine 06:24

Okay. Welcome everybody to the January meeting of the Development Review Board for the Town of Richmond. If you haven't signed in, if you're there in person, please sign in in the back and otherwise, Dante, how do you want them to, people in the remote audience, how do you want them to sign in?

DeNault 06:46

Yeah, if they just want to, I just left a message in the chat. Just leave your name, number and address in the chat, and we'll get you recorded.

Sunshine 06:55

Perfect. Okay, we have one matter on the agenda tonight, and it is a sketch plan hearing. So that

² Zoom Recording Link:

<https://us02web.zoom.us/rec/share/OMvodBLnWlO90gUQpV0q1HNuHGAGDdj2NTJY5wssq-D9p0VR1ZQPTzkfL684F332.tY4pi25joVnr8bDQ?startTime=1768434841000>. Passcode: #2+70Tz6.

everyone understands, with a sketch plan hearing, no decision will be forthcoming from the DRB. We are here to hear the Applicant, make suggestions on what they're planning, and have some discussion with them. And we will also open it up to the public to discuss it, but this is not a hearing that will result with any decision whatsoever.

Having said that, we still should let us know whether we have. Gee, I lost this, whether anybody has a conflict on the Board?

DiPalma 07:50

None here.

Parisi 07:52

Nope, I don't have a conflict.

Monks 07:53

I do not.

Dyer 07:54

No.

Sunshine 07:56

I don't know why I've lost the screen. Patty, you're in, and why don't you come up if you're not already up to the table. And because it's not a hearing that will result in a decision, we don't need to swear anybody in. But Patty, why don't you tell us what you have in mind.

Gilbert 08:19

Want to do it?

Goulette 08:21

Sure I can do it.

Gilbert 08:22

I'll let, I'll let my engineer, if that's okay, do it. Doug Goulette.

Goulette 08:30

I assume that's okay, David?

Gilbert 08:32

Is that okay, David?

Sunshine 08:32

I'm sorry, say that again?

Gilbert 08:36

I'm going to have Doug talk about it, because he's the one that's helping me,

Sunshine 08:39

That's great.

Goulette 08:43

All right, I guess I'll start with introductions. I'm Doug Goulette from the Bowman Company, formerly Trudell Consulting Engineers, and Patty Gilbert, the property owner.

I guess I would ask Dante to put one or both of the plans that we submitted as part of our sketch plan application up for review.

DeNault 09:07

Do we want to start with the overall system?

Goulette 09:09

Yep.

DeNault 09:10

Would that be helpful? Alright.

Goulette 09:11

So, this is the overall parcel. It's kind of an odd, shaped configuration and this was a result--this was Lot Four of actually a four lot subdivision about 10 years ago that Patty did. The other three Lots created back in that time period are off to the left hand side of the of the image there.

So this is a, this was clearly the largest retained lot at that time in that subdivision, approximately 23 acres in size. And Patty, you know, about a year ago, started developing her Lot. There is now a nice gravel driveway, a house being built as we speak, and a mound system that was tested today and is under construction, and a well that was being drilled today too. So there's a lot going on in this Lot currently. And I think Patty just decided, you know, when she actually started spending more time there. There's a lot of area on that 23 acres that would be suitable for additional lots.

This is in the, you know, zoning district ag/residential (A/R) with one acre zoning. So you know, lot density really isn't, you know, a major concern. So anyway, Patty came to us and said, let's see if we can get a few more lots in here. So, first thing we did were soil test pits in and around the area of her existing house. We're not proposing anything on the dog leg to the left there. It's really the four, we'll get to another sheet, but you know, the four lots are right around her house, actually, three lots, plus, you know, Patty will be the fourth lot on her, you know, on her house Lot. So anyway, we did 14 test pits on the hillside there. Soils are really consistent with what we found 10 years ago--suitable for mound systems. So that that was a good thing. First step is to make sure that sewer capacity isn't really a limiting factor. So, we've gone on to, you know, present this four lots--Dante, if you want to go to the next image, which is zoomed in a little bit.

So the yellow is the perimeter of the subject, parts of the 23 acres, and then the green doesn't show up as well on this as it does in some, but the green lines are proposed lot lines. So the plan would be, access would be via the current existing driveway. We understand we'll have to widen,

widen it for the first few 100 feet, because it will serve four lots at that point. So it'll be a higher standard for that length of road. And then once we get beyond the driveway, where the first Lot could be reduced to a lesser standard, and it would serve the other three, three Lots, basically, Patty's house, obviously, and they would there be a lot Two to the right or south of her Lot, and then one, Lot Number ... 4, to the to the north. Yep, right where, right where the cursor is. So, we've sketched in potential mound systems just for scale and to make sure everything fits on each of the Lots. As I said, Patty's that shows up a little darker, is 85% complete at this point.

Topography, you know, fairly consistent wooded area. You know, 8 to 15% slopes maybe. There is a wetland, sort of a sag in the in the landscape to the east, and there's a class three wetland there that we delineated back in 2015 and then re-delineated the line just this fall or summer. You know, Patty was doing a bit of house shifting. So, we, the wetland folks, as part of the Act 250 permit said, you know, we would love it to get you to re-delineate that whole western line, you know, closest to the Lots proposed. So we did that. Didn't, didn't really change from 10 years ago, but we at least know it's a freshly delineated line. So that's accurate moving forward. And there's no proposal to, you know, do any improvements within the buffer wetland or the buffer itself. Let's stay, stay out of that.

Yes, I guess that's it. Yeah. Any questions from any folks?

Sunshine 14:40

Any questions from the Board?

Monks 14:43

Doug, you said class three, then the plans show class two.

Goulette 14:45

It's class two, if I said class three, yup, good catch.

That's why there's a 50-foot buffer.

Monks 14:57

Have you gotten a determination on the need for an operational permit? I didn't see any operational stormwater infrastructure shown on the plan, just leaving space for.

Goulette 15:05

Not yet, it'll be close. If this, we're talking about stormwater, if the Stormwater Division determines, which, I think they will, that not only these Four Lots, but the previous Lots are all part of a common plan of development. Will be very close to with, with this development, these Four Lots, close to the one acre permitting threshold for impervious surfaces, so, to be determined, but it'll be close.

If, obviously, we're over the one acre, there will be some stormwater permitting involved, or maybe a portion of it, if, if it comes to be that the impervious areas over an acre would need to meet State standards. So, yeah, so we've tried to, haven't really planned for stormwater systems, but I think we have enough room on the Lots or some community thing. We are confident we

can make that work. If we do need a permit, even if we don't obviously, Richmond has some standards to stormwater detention and such that we'll be looking at more closely as we move forward.

Monks 16:30

It's on in the Staff Notes, the existing subdivision went through 250?

Goulette 16:34

Yeah.

Gilbert 16:36

I'm subject to 250.

Goulette 16:37

So this, this will also.

Monks 16:38

What was the, what was the original trigger? Was, it's a pretty small subdivision.

Gilbert 16:41

Chuck Farr, I was his 10th lot.

Monks 16:45

Oh, okay.

Gilbert 16:47

That's the only reason why I'm subject to 250.

Which is good, held to higher standard.

Goulette 16:53

I mean, it hasn't, hasn't been an issue in the past. I know we try to do, do the right things. You know, this Lot was, you know, already approved once. So I'm not really anticipating any new issues. You know, we've been cleared for archeological, for instance, and wetlands we have control of. And we know we need water, wastewater and such. So, yeah, we will need an Act 250 Permit.

Monks 17:21

Was the original subdivision like four years ago. Was there another project that came through here, same neck of the woods?

Gilbert 17:27

You know, was it Owls Head? Was it Stetler's?

Dyer 17:30.

It could have been it.

Gilbert 17:32

No, the Stetlers' are actually in Hinesburg, but the Stetlers',

Dyer 17:35

That's the one that's down there.

Gilbert 17:37

The one's that's right there to the far down, yeah, that's the Stetlers'. They actually should have widened that road, but the two houses that they built were in Hinesburg.

Dyer 17:49

Okay. That was, that was the question with the wetland crossing.

Monks 17:54

Yeah, and where we did have jurisdiction, where we didn't have jurisdiction, because it's a different town.

Gilbert 17:57

The woman from the Act 250 Wetlands asked me, because I had followed such, if I was willing to let it go, and since I knew the new owners, the Stetlers' and their daughters, I allowed it. Otherwise, I would have not allowed it, since I had was held to higher standard. But they had to, they had to abide by certain rules, I guess with stormwater. So that was about three years ago I think, right a couple years ago.

Dyer 18:24

I know I wasn't here 10 years ago.

Gilbert 18:31

Mine was 10 years ago.

DiPalma 18:33

I have a couple questions about the access roads. I would like to understand the layout. So, Palmer Lane ends where Owl's Nest Road and Beatty Lane begin. Is that correct?

Gilbert 18:44

You want, you want to know the whole story?

DiPalma 18:45

Yes, I'd love to hear the whole story. I

Gilbert 18:48

When we first bought the land from Chuck Farr, the old rule was what Hinesburg calls a road so shall Richmond, and it's already in the bylaws from Virginia, I think, Clark or someone, and, uh, but, so it was called Palmer Road up to Don Palmer's driveway, which came Palmer Lane. When he subdivided it, it went through that Palmer Lane through to the end of Richmond to Hinesburg

became Palmer Lane. Then the Stetler's bought Palmer Lane. So that's Owl's Head. So that's why that little strip is called Palmer Lane versus Palmer Road.

DiPalma 19:26

Okay, so, but Palmer Lane is a, is that a Town Highway?

Gilbert 19:31

It is.

DiPalma 19:33

It is a Town Road?

Gilbert 19:34

It's a class four...

DiPalma 19:32

It's a class four?

Gilbert 19:35

...or three. The town will not give it up.

Goulette 19:39

Well, and, yeah, I don't know what the class. So that you know the town, and maybe it's changed, but 10 years ago, right, Hinesburg would plow to the end to the kind of hammerhead that you see there, even though it's in Richmond. They had like, just a handshake agreement or something. And I think that's still the case, but I don't know that for sure.

Gilbert 20:02

And I gave a permission for Richmond, like, I have a part of that where that stone stuff is at the corner right there, a right of way to, like, if they're plowing something, if something falls on that, you know, I gave them access to that turn around.

DiPalma 20:18

Okay. Alright. So then, Beatty Lane continues.

Gilbert 20:21

Yes.

DiPalma 20:22

And that's not on, is that on land that you own?

Gilbert 20:25

I did. Yes.

DiPalma 20:27

Okay, and is that considered part of the Town class four highway?

Goulette 20:34

No, it's a private road, but it's within a class four right of way.

DiPalma 20:39

Okay.

Goulette 20:41

So the right of way, the old right of class four right away doesn't show up very well here, but it goes up basically to, you know, the southern yellow line, and then, you know, takes a sharp right 90 degrees....

Dyer 20:53

Is that the one that eventually connects with Hillview, would connect with Hillview?

Gilbert 21:02

Exactly. The whole Williams Hill Road....

DiPalma 21:03

No longer.

Gilbert 21:08

I thought Richmond gave up my section and the Stetler's section. No. It was only Parke, which is, I was confused by that.

DiPalma 21:17

So the section of the town four highway that runs along the southern boundary is still Town four highway?

Goulette 21:26

The Town is somewhat ambiguous to that, but I think there's, all the surveyors that have surveyed out here seem to show it as that so.

DiPalma 21:37

But in any event, Beatty Lane is on the class four right of way, but it's now a private, you owned that parcel when you developed this subdivision?

Gilbert 21:50

So Beatty Lane and where, where the old Town Road goes up, Beatty Lane starts. So where the old is, where Beatty Lane would start, and that's private.

Goulette 22:04

It starts really at Owl's Nest, right?

Gilbert 22:05

Yeah.

Sunshine 22:11

Patty.

Tabasko 22:12

Can I ask a quick question there, just to delineate so.

Sunshine 22:16

Wait, wait, wait. We'll get, we'll get to the public in a minute as soon as the DRB has had their questions. Okay, Patty, where does the Town maintain the road to plow? Where do they stop?

Gilbert 22:32

The Town of Richmond is responsible, but the Town of Hinesburg, they have an agreement with Hinesburg, because most of it's in Hinesburg. So Hinesburg actually comes and plows and turns around, but it is the homeowner's responsibility once we're in Richmond to take care of the Town Road.

Sunshine 22:50

So right now where do they go to? Where do they go to on the survey there?

Gilbert 22:55

What, the Town Road?

Sunshine 22:57

Yeah. Where does the town plow to?

Gilbert 23:00

The Town of, the Town of Hinesburg plows to the turnaround.

Sunshine 23:03

Okay.

Gilbert 23:04

Right there.

Sunshine 23:05

Okay.

Gilbert 23:06

Yeah, yeah.

Sunshine 23:07

And so everything above that would be responsibility of.

Gilbert 23:11

The homeowners.

Sunshine 23:12

Okay, so we're going to need to see a Road Maintenance Agreement from you when you make your next application.

Gilbert 23:21

Yep, yep, got it.

Sunshine 23:33

And I know that was on the Staff Notes.

Gilbert 23:26

There, it was.

Monks 23:28

I think we've got a copy here David.

DeNault 23:30

Well, yeah, I think that's an existing, ... so it might need updates.

Gilbert 23:36

Yeah, right. I need, I need a new one, because it's the new, new driveway, so we have that, but we're also responsible for part of Beatty Lane too.

Goulette 23:46

Right. So that we'll be modifying the existing agreement that covers the three lots from the previous subdivision. Because, you know, now these four lots that we're going to be creating should pay a certain, you know, prorated share of the Beatty lane, you know, at least the first few 100 feet. And then the new lots will have a separate roadway agreement for maintenance of the shared driveway that they'll be constructing and sharing, and probably have a different name if there's four lots. I'm assuming the 911 will require a separate road name for that.

DiPalma 24:29

So excuse me if this is a stupid question, but do you now need permission from the Town, since Beatty Lane is on a class four road, to use that road for access to these lots?

Goulette 24:46

I think the presumption was in 2010 that, you know, we were clearly depicting, you know, Beatty Lane as being within the class four roadway right away. And there was no, no pushback then so.

DiPalma 25:00

And I don't know the answer to that question.

Goulette 25:03

I mean, and even, even Patty's.

Gilbert 25:07

I had to widen. When I first did the development, I had a widen Palmer Road, Palmer Lane, to the 30, whatever it was, all the way up to the first house I had to follow guidelines. So that's all taken care of on the Richmond right away section.

DiPalma 25:28

And then does the Town four highway continue through the previously subdivided lots and then continue up to the north? Is that where that?

Goulette 25:36

No, that's, that was something we actually created as part of that subdivision. That's, that was, that's just a private right of way.

DiPalma 25:45

Okay, so where? Where the Town, where the class four highway makes that right hand, left hand turn to the south. How far down does the class four round continue? Is it into Palmer Lane?

Gilbert 26:00

Yeah, yeah, at the end of Palmer Lane.

Goulette 26:02

It's just sketch, just yeah.

Monks 26:04

This is the Town Highway Map. So, this is the little bit of Palmer Lane that is actually in Richmond. Below that, is in Hinesburg.

DeNault 26:17

And for everyone at home, the DRB members are just looking at a highway map right now.

Monks 26:22

Yeah, this is a VTrans map. They have for all the towns to show, to be town highway map.

I don't know if that helps.

DiPalma 26:35

I mean, it's still, it's still sort of a question in my mind. But this doesn't really affect what I'm thinking about, about your subdivision. I just wanted to understand how, the how the access worked.

Gilbert 26:46

Yeah, well, my driveway will be access on private, to the end of the Town road.

DeNault 26:56

And there is that access permit for your driveway.

Goulette 26:59

Yeah, right. Patty's driveway now cuts; cuts sort of across the right-hand class four right of way. That was, again, that that was, you know, that that Road, I assume the Road Foreman or whoever, you know, grants those permits, was, was okay with that configuration, too, of her driveway sort of cutting across there at the at the Y, if you will that exists now.

Monks 27:28

The V-Trans maps reference a Superior Court Case in 2022, is that.

DiPalma 27:34

That's the Parke case.

Goulette 27:36

Yeah, okay, just off, well, maybe if it's just off our map to the right or.

Gilbert 27:43

Yeah, yeah, right there, that Lauck Parke, that section.

[undiscernible] 27:49

That was off Williams Hill.

Goulette 27:47

So, right. That was, I think the whole right of way was.

Gilbert 27:53

I think they like, they try to do like a trail. Like a trail for bikes to go, cut through ... and I didn't have a problem with it but.

DiPalma 28:01

I live on Williams Hill, and I've had an earful about that, about that dispute so.

Gilbert 28:08

Oh yeah, I did too. I didn't. I didn't mind, but I don't, I didn't think four wheelers and stuff were gonna be able, it was just bicyclists and walkers. It is what it is.

Goulette 28:18

Well, and then if the mapping is correct, which I think it is. You know, you can see the Owls, Owls Nest Road also encroaches into the old Right-of-Way as well.

DiPalma 28:27

Yes. Yes.

Goulette 28:29

Whether that was sort of noticed at the time, or, I don't know what the vintage of that that part of that road was.

Gilbert 28:40

But when Don Palmer built.

Dyer 28:42

Looking at all these maps, between all of the different maps, it's really hard to tell, for me, where the actual town line is.

Goulette 28:52

The Town line is to the south. It doesn't, doesn't even show up on this. It's a couple 100 feet at least.

Dyer 28:57

So the Hinesburg-Richmond Road, a town line is south of, which one is that Owl's Nest? Yeah?

Goulette 29:06

Yeah. Well, not substantively, but hundreds of feet.

Gilbert 29:09

Well, actually, if you, if this, if you have this, this house right here, and there's one other house that's back here, so there's two houses before.

Goulette 29:21

Actually, the other plan that was submitted does show the Town line, the colored version.

DeNault 29:27

Oh, yeah. There we go.

Goulette 29:33

So this, well, that's quite a lot of roadway in Richmond that Hinesburg maintains.

Gilbert 29:41

And I'm very happy they do. They're not responsible. It's our, as homeowners, we're responsible. I'm grateful. I needed a place to turn around.

Goulette 29:53

Maybe there's somewhere that they reciprocate, somewhere.

Gilbert 29:54

Oh, they do. I'm grateful.

Sunshine 29:58

Are there any other questions from the Board or suggestions from the Board.

DiPalma 30:03

Just one more question, on Lots One and Two, does the proximity of those two mound systems,

potential mound systems, create any potential problems with permitting for each of those? Have you explored that that question with the wastewater folks?

Goulette 30:25

I guess I don't understand your question.

DiPalma 30:30

Those two, location of where they're laid out, are pretty close. I don't know if there's any rules, oh, guiding distances between mound systems.

Goulette 30:39

Usually it's 25 feet from toe to toe,

DiPalma 30:42

okay,

Goulette 30:43

I think that's in excess of that,

DiPalma 30:44

Okay.

DeNault 30:47

And I don't believe it's subject to any setbacks from zoning, ...

DiPalma 30:51

Okay.

DeNault 30:52

... as an underground, or as a wastewater system.

DiPalma 30:57

That's all I've got, thank you.

Sunshine 30:59

Other questions from the Board?

Sunshine 31:03

Okay, we'll open it up to the public. Matt, you had a question?

Tabasko 31:10

Yeah, I just had a quick question around where the start of Beatty Lane is on that one map there. You know, there's been some confusion around, is it at the plow turnaround that's been referenced earlier in the meeting, or if it's a little farther up. I was just wondering if, if we could just get confirmation that, that it, it starts where it says it starts on this map right here. So, you know, you got the plow turnaround with like, the little snowflake markers to the left there, and

then maybe just an inch above it, you know, it says Beatty Lane right there. Just wanted to confirm that Beatty Lane does start where those, where the mailboxes are, which is essentially where that turnaround is.

Gilbert 31:58

No, Matt. It doesn't. We put the, we put the sign there, just because, for people know it, but technically, Beatty Lane starts at basically my driveway.

Right. So, up that, up that way, you know, where, where the original sign was.

Goulette 32:20

Well

Gilbert 32:21

The old Town Road.

Goulette 32:23

But the Town doesn't maintain that?

Gilbert 32:24

No. The Town doesn't maintain.

Goulette 32:26

So it's as far as the like the driveway agreement, roadway agreement, right? They, they're maintaining all the way, or they're paying to maintain all the way to the, to the turnaround. So, Beatty Lane actually would right, as far as the Agreement goes, would start at the turnaround for maintenance purposes.

Gilbert 32:45

Right. The thing is, Richmond, way back when they developed, Richmond's not responsible for taking care of the road from Richmond, from Hinesburg to Richmond, you know, through there. It was the owner's responsibility.

That's what we're maintenance agreement.

DeNault 33:04

I do have the maintenance agreement posted.

Gilbert 33:06

From way back in oh seven. This is Don Palmer from Palmer Road, way back in my, in our original one, and it shows.

Tabasko 33:16

Okay, and the way it was represented there is sort of to my understanding, and I think makes the most sense. And I just, I just wanted to confirm that that supersedes any previous, I don't know, notions of, of where it began or stopped, like, like was cited. You know, we, the landowners on

Beatty Lane, maintain all the way to that turnaround. So, kind of made sense to make that, you know, that that's where the official start of Beatty Lane is, but just wanted to raise that up. Thank you.

Sunshine 33:50

So is the map correct by calling, naming the Road, as a part of that Lane?

Tabasko 33:58

To my understanding that this map is correct and makes sense to me, but there are, like Patty was indicating, there was prior iterations where Beatty Lane was starting up by her new driveway there. So, just wanted to get clarity on that.

Gilbert 34:16

That's a Town right away, that's why, you know, the old, the old whatever, up to Williams Hill, that whole path, that's why it's up that way.

Dyer 34:26

It sounds like, my understanding of all of this is from a technical standpoint, Beatty Lane starts at Patty's driveway, but because of the way the Towns have agreed about the plowing, the plow doesn't plow past the turnaround. So maybe there's something in your Agreement that talks about that, because technically, legally, maybe, Beatty Lane doesn't start till later. And then if any issues arise--that could be an issue, become a problem, if you, ya know, somebody's saying, well, we're only plowing Beatty Lane and then there's this stretch of however many yards that technically nobody is responsible for, so.

Gilbert 35:10

But it's in the books that that the homeowners are responsible for it, way way back.

Goulette 35:16

I think the confusion is, you know, Beatty Lane is a private road, but for that first few 100 feet, it falls in the Town Right-of-Way. So is it, you know, is it a Town Road? But I mean, to me, it's a Town, If the Town isn't maintaining anything, clearly it's not a Town Road. Or they just keep plowing all the way to Patty's driveway, which they've never done. So. I think that's, that's how I make the determination that even though it's sitting in a Town right-of-way, it's still private, because the Town doesn't take any responsibility in maintaining it.

Dyer 35:53

I'm just making sure from like, the way it's recorded.

Goulette 35:56

I mean, moving forward, we're in, as we talked about earlier, the Roadway Agreement, you know, has to be adjusted to recognize these new Lots if it, if it goes forward. So, that may be an opportunity to better define exactly what Beatty Lane is and where.

Dyer 36:09

I'm just trying to make sure you avoid issues.

Gilbert 36:14

Owl's Head, that Road is also responsible for that section from their driveway to the end of Richmond, but they're also responsible. It's way back in the 2000, '98 or whatever, bylaws of Road Maintenance Agreement. But Matt, you're right. I think it should be all called Beatty Lane, right from that, from Owl's Head.

Tabasko 36:38

Thanks. Thanks Patty, yeah, I just thought it was a good forum to bring it up, but that all makes sense. Thank you so much.

Sunshine 36:45

Any other questions from the public?

T. Cohen 36:49

Yeah, Tyler Cohen and Rachel Cohen, we, just, about a month ago, bought the parcel, it's the, it's the northernmost parcel, previously, lot BE0330, and have two questions I guess. So, in our Agreement, Patty maintains, hi, Patty, by the way, we're your future neighbors. Patty maintains a, or has access to the Right-of-Way that continues off the northbound end of Beatty. And I'm curious who would, who would, who would keep rights to that Right of Way that extends across our property?

Gilbert 37:36

Lot 4.

T. Cohen 37:37

Lot 4 would? Okay.

Gilbert 37:41

Yeah, because that's one that, that's one that goes around to that.

T. Cohen 37:46

Yupp. Yeah. And then I suppose my other question is, the building envelopes that are outlined here are really the only ones that are considered in play at this time, right? Like there, there wouldn't potentially, or it would be another conversation later down the road, if another building envelope were considered where an owner of Lot Four would be interested in access that would continue up Beatty Lane.

Sunshine 38:17

Yeah, if we approve a survey in a map that shows proposed house sites, if they want to move them, then they would have to come back to the Board.

T. Cohen 38:28

Okay.

Goulette 38:30

What you can't see on this plan, it's, because it's, this is sort of a washed out plan, there is a building envelope shown on proposed Lot Four which, which sort of ends right at that wetland. So, as David said, you know, they, if somebody wanted to put the house somewhere outside of that building envelope, they'd have to come back to the DRB and, you know, get, get that [Act 250 Permit] amended. You'd be, you'd be notified again, obviously, when that, if that ever came to be.

T. Cohen 39:01

Okay. Sounds good. That's what we were curious about.

Sunshine 39:06

Thank you. Thank you. Any other questions from public or from the Board?

Patty, do you or your advisor have any questions of the Board?

Gilbert 39:19

No, it's just, we're trying to get everybody involved right off the bat and, you know, and then find out what we do need to do to continue this process.

Sunshine 39:30

Well, I think that's great, because the hardest thing is when a neighbor comes forward says, "Oh, you never told us about this." So, I think it's great that you're doing that and being in contact with everybody. So, your next step then would be to make a formal application and start your process with the Town. You've probably also are dealing with the State as far as wastewater, and with the State as far as Act 250 and I, It'd be nice for me to say you probably won't have to deal with stormwater, but I'll bet you well.

So if there's any no other questions, then we'll wait for your application.

Monks 40:16

Sorry David, one other question.

Sunshine 40:18

Go forward.

Monks 40:20

On a couple, we ran into an issue on a couple other subdivisions where it didn't give us a plan for the future remaining lands, I don't know if that Section of our regulations get revised, or is it still kind of out there and slightly indeterminate.

DeNault 40:41

Yeah, you're talking about like a master development plan?

Monks 40:42

Yeah, it's the master development plan.

Gilbert 40:44

I never thought about doing this, but, if I want to stay here, I mean.

Monks 40:47

And, yeah, but as part of, as part of this subdivision, you do need to give, provide a master development plan, you know? And it's not uncommon for folks to not have a plan for the rest of their lands. I think the cleanest thing is to have a plan that says master development plan, and explain if you, if your future plans are to keep it as is. The plan can, it's my understanding, and this is sketch, and feel free to chime in anyone, but you can show that, you don't have to pretend you're going to subdivide.

Gilbert 41:18

In my, in my in my mind, what my plan is to sell one Lot to cover certain costs. Lots, the last Lot, I'm going to put in a trust for my kids and, but that's my hopes, you know, as you get older, you don't know, but my hopes is to keep, keep two of the Lots as long as I can.

Dyer 41:41

I think, it's more, it's more that, like, for example, Lot Four, because there's that...

Gilbert 41:46

Big, wide section.

Dyer 41:47

... that piece up above, possibly having something up there saying undeveloped lands, or, I don't know.

Monks 41:55

If your plans are to continue forestry, or whatever it is, we just don't want, you know, your next step, you know to come in with your preliminary, we want to identify as many, as many matters as we can right now so you don't have to come back and have.

Goulette 42:09

Yeah, but short term, right? I mean, there's no, I don't think there would be any, any sort of perceived layout of what that would look like in the future. And that's not really.

Gilbert 42:18

That's why I was like, I'm using this so I can keep as much as I can.

Monks 42:24

Makes perfect sense. And just to be clear that, it kind of seems kind of absurd, but a plan showing your plans to not do anything, is what's needed.

Gilbert 42:32

I can't, I can't promise because, I mean.

Dyer 42:34

it's not, it's not a promise, it's just the technicality in our Regulations.

Gilbert 42:39

Then I'm hoping to keep it. I mean, for me, right now, my lot, that Lot's going to stay the way it is as long as it can.

DeNault 42:48

For the record, to close the loop on what the master development plan is in the Subdivision Regulations, it's for any portion of the parcel or lot not proposed for land development in the subdivision as of the application date, a Master development plan is required. It shall conceptually show future roads, future storm water infrastructure, future building areas, future open areas, and future uses on such remaining land, including those that the subdivider expects to offer to the Town. Again, this is all included in our preliminary subdivision checklist. So, you know, we can work with you to get those requirements.

Dyer 43:23

I'm actually wondering, though, does this like, that normally applies to like, a subdivision where one of the lots has nothing on it.

DeNault 43:34

Right.

Dyer 43:34

Technically, all of that is part of Lot four that has a house on it. So, I don't know that, that even needs that note. I don't know, what do you? Do you guys see it that way, because at some point.

Monks 43:46

... cuz it's like, where would it, if anyone is over one acre what are we gonna say you need a master development plan versus each is proposed for development. So that's a really good point.

Goulette 43:56

There's topographic features or whatever that makes it impossible to develop. Do you still through that, not that that's the case here, but there's wetlands down there. There's other.

Dyer 44:05

I think this has mostly come up in in development [when there is retained lands], where there's like six Lots and then there's this generic 93-acre Lot Seven that has nothing on it [or not much]. And then, we just, ... and even if it's not common land, just that it's not being developed. There needs to be something telling us what the plan is for that. But I don't, personally, I don't see that.

Parisi 44:33

The question with that, though, then becomes...

Monks 44:36

If you could have a house on 90 acres or so and then yeah, anyways.

Parisi 44:39

...but the question then becomes, if they say yes, undeveloped land, but then, later on, and that goes through the pre-sub and then the final application, then they're going to have to come back around again, get that condition removed, and go through it. So it's an interesting kind of.

Dyer 44:58

It's technically. I don't believe it's a condition technically, I don't believe it's a condition. I think it's just like, like, they would have to come back if they were going to do that anyway. All it is is literally, because there's a box to fill in, we're asking you to fill in that box. It's not like, it's not binding.

Monks 45:16

If you're, if there were future development plans, I think the goal there is, you know, some, some of the things we need to assess, we need to, you know, look at the comprehensive development plan. So if this is going to be phased, then we should be looking at all those future phases. That doesn't appear to apply here but as Matt said that is something we need to check.

DiPalma 45:36

So, just to make the record clear, the parcel you're subdividing here is the entirety of the land that you own,

Gilbert 45:44

The twenty-three point three, yes.

Goulette 45:46

I mean, there happens to be Lot Four, which is bigger than the rest.

DiPalma 45:52

So that's all of it?

Goulette 45:54

That's right, yeah.

I mean, I kind of go toward Matt's is, you know, is the perception is right, you're developing on a little corner of a property, and you right, and you have this retained land, retained by the landowner that may or may not have a house on it. But if it's 200 acres of open meadow, it kind of begs the question, as opposed to, you know, 13 acres with all sorts of wetlands and restrictions on it, but.

Monks 46:20

But it doesn't need to be a comprehensive you know, the plan can be very simple. It just avoids having unfinished business.

Dyer 46:28

Yeah, I think it's probably better safe than sorry in this situation.

Parisi 46:34

I think it's required anyways, right? To have, I mean, I know this to say, but this is my master development plan. It could literally just be your site plan.

Goulette 46:41

I was going to say.

It just really wouldn't be much different than we have it almost right here.

Dyer 46:48

Just with another title.

Gilbert 46:49

Yeah and this right here, because this was way back when somebody here that told me, like, you know, because Lot Four was way back years ago was this section, to give me access this way, if I ever wanted to put a driveway this--to come to this lot, but it's a hill and all that stuff, but it just gave Lot Four two accesses to get to it.

Goulette 47:17

Yeah, we can work with Staff to make sure that's covered.

Dyer 47:28

Yeah, in the right direction.

Sunshine 47:30

Ok great, so we, the Board, will be waiting for your application.

Gilbert 47:36

Okay.

Goulette 47:37

Sounds good.

Sunshine 47:38

Thank you very much, appreciate you coming.

Gilbert 47:41

Nice meeting you Tyler and your name.

R. Cohen 47:43

Rachel. Nice to meet you.

T. Cohen 47:44

Thank you.

Sunshine 47:55

Dante, is there anything else that the Board needs to consider while we're in session?

DeNault 48:00

Not necessarily. I'm going to pass off a preliminary subdivision checklist to the applicants just to have a physical copy. I'll follow up with you online or an email.

If there's anything that we are interested in taking up. I do have the Development Review Board's Rules of Procedure on my radar for potential updates. If that's something that this Board is interested in exploring, I'd be willing to take that on. One thing from last month's appeal, whatever, the recent appeal. Have a good night all. I think I noticed that we probably could maybe flesh out some of the appellate, like the appeal process, the appeal procedure for appellants. That's something I'd be interested in taking on. And I'm wondering if the Board has anything else they'd like to see added to the to the rules, or, you know, maybe we can work on this over the next few months. I'd be curious what the Board's interest is in, ya know, amending or updating, modernizing, etc.

Sunshine 49:02

I know there was some suggestions.

Monks 49:04

I would nominate Matt to be our designated Rules of Procedure representative.

Parisi 49:08

You don't want me writing the rules.

Monks 49:16

You two can share them.

DeNault 49:18

It doesn't have to be something to take up now.

Monks 49:19

I appreciate the flag. Nothing comes to mind immediately. Yeah, you know, you're not the maybe, you know the appeals piece.

Parisi 49:29

Do we have that ability to change? That was the one thing we did talk about there where the 15, because the person submitting, not the appellant, but the applicant, has to within 15 days, right? There's a, there's a maximum time period that they can submit stuff, but the appellant can submit stuff 10 seconds before the meeting starts. Right? Did we make that change? Can we make that change? Or is that is that part of this?

Sunshine 49:53

Yeah, I think that would be, I think we should flesh that out and put that any in any Rules of Procedure.

Parisi 50:00

Should we make that change because that would be an easy one?

Sunshine 50:04

I'm very against last minute filing. It's impossible for the Board to consider it sitting there at the table.

DeNault 50:14

Yeah, I agree. That's not how you take in evidence. And so I'd like to, you know, make the appellant have to submit first, then give the applicant, the appellee, some time to respond. I understand that, you know, the Brooks last time felt like, you know, Jay was holding stuff, but in a normal appeal, like the appellant would have to file first, and so I didn't really understand the back and forth, and I tried to impose some deadlines, and then it, you know, blew back in my face.

Sunshine 50:41

I think it goes further than just appeals. I think with any application in front of us, we should have a cut off of when people can submit evidence to us. And if they submit stuff at the last minute, it calls for a continuance, a potential continuance.

Monks 50:59

That applies to the applicant as well, right? Anybody?

Sunshine 51:02

Oh, I agree.

Dyer 51:04

In my opinion, the only, only, only things we should accept, quote unquote "late", are just public comment. If somebody wants to email in a public comment because they can't make the meeting, I'm, I feel like that is something that doesn't need a deadline, probably legally can't have a deadline, I would imagine.

Monks 51:27

Well you can have a public comment period that, you know, there's a, I mean, I'm not familiar with the Town stuff, but it can be for a specific date range. There's a minimum, but we can schedule it to be in advance of the hearing, so there's time to process. Yeah, I totally agree. We don't want to limit the public comment. But you know, what if it is substantial, and it's like, oh, this came in today before the hearing, and they're doing, I mean, I don't know, but it could be, we could always do a continuance, but.

Parisi 51:55

Yeah, yeah.

DeNault 51:55

I guess, I'm just, I'm expecting another appeal to come from the same appellants for future permits. So, you know, I'm just thinking towards if there's a way to clean up the process, to

streamline it for if and when it comes back onto your table.

Monks 52:10

It'll probably take a little while to make those changes, so.

DeNault 52:14

So before that would happen. So, yeah, this would be for future.

Monks 52:17

I think it makes sense.

Dyer 52:21

Are you officially the Zoning Administrator?

DeNault 52:23

I am, yes. I was confirmed by the Select Board last Monday.

Dyer 52:27

That'll help clean things up.

DiPalma 52:30

So I'm a bit of a procedure freak, so I'd be interested in taking a look at the Rules of Procedure.

DeNault 52:36

Yeah, do you want to, I could give you a copy.

DiPalma 52:37

I've got it.

DeNault 52:38

Okay, great.

DiPalma 52:41

The Rules do say that, that the DRB adopts these rules. So we can do it. We don't need to go to the Selectboard.

Parisi 52:51

That's what I was wondering. I didn't know.

Monks 52:53

I didn't think we get to do anything other than.

Parisi 52:54

Yeah. So we can, we can change that?

DiPalma 52:57

Yeah, that's what it says.

Parisi 53:00

David, is it clear to you on that too?

Sunshine 53:02

Yes, I think it's our purview to adopt what rules and regulations we want to have.

DeNault 53:10

Yeah, and it's straight from Section One "Authority". The, they can be modified--they being the rules--can be modified from time to time by formal action of the DRB.

Monks 53:21

After, is it, after opportunity for notice and comment? Or can we just?

DeNault 53:24

Period.

Monks 53:25

We can just, we can do it through a regularly warned?

DeNault 53:27

There's some laws that are cited. I'd look into those to see if there's a comment, yeah, if, if there's a procedure behind it.

Monks 53:34

I mean, seems like a weird thing to public comment on, but as long as we're doing it at a.

DeNault 53:37

I could see this going either way. I can follow up with the Board on that next meeting.

Monks 53:45

Great.

DiPalma 53:49

The last section that says that the Rules can be amended at any regular special meeting by majority vote, so long as each year DRB member has been given a written copy of the proposed amendment at least 24 hours before the meeting.

Parisi 54:05

Lets do it now. I'm the get it done guy, that's how I operate. Man, lets get done with it and move it.

Monks 54:08

Let's move to come back here tomorrow at eight o'clock session.

Sunshine 54:16

Dante, what do we have coming up in the future?

DeNault 54:19

Yeah, there's going to be four on the calendar next month. One, one of them is sitting here with us today. Matt's going to be coming in for project proposal. We have a conditional use for 88 Rogers Lane. They had unpermitted expansion at their business yard and through a resident's complaint we kick started this back when I started in like September, the State's, the State's on them too. They didn't go, they didn't go down the enforcement route, but they did make them amend their permit. So they're kind of concurrently looking for ... [where's this?] ... this is, um, Rogers Lane. This is formerly J Hutchins Inc., now All States Construction Group. It's right, yeah, next to the transfer station across from Patterson fuels, yep, on Rogers Lane. That's two. And we have another sketch plan for 1950 Hillview. It's up on, past the blueberry farm. I think the master plan of development is going to probably come to play into that one as well. There's a deer wintering area that will need to be explored by the Board on that one because of past conditions imposed by the DRB. And the fourth one is escaping me right now. Oh, sorry, it's, it's the barn across the street. The Vermont Land Trust is looking to put in a conference room on their second floor of the back barn.... Those are pretty much all locked in for next month already.

Sunshine 56:04

So it's thee Board hearings and a sketch plan?

DeNault 56:06

A sketch plan, a conditional use. Matts is a conditional use, I believe or no, it's a conditional. It's like an amend, an amendment based an amendment, yeah, a condition amendment, and then a site plan, a site plan for the Land Trust.

Sunshine 56:30

Okay, great, yes, well, good. Well, I don't think we need to vote to adjourn, because it's not really a warned hearing. So, good night.

[end of recording]³

³ After the recording ended and David Sunshine, chair, logged off, the remaining four in-person members of the Board voted to adjourn (Monks, DiPalma 2nd).