



Town of Richmond  
Planning & Zoning Office  
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# Richmond Development Review Board

## March 11, 2026, Meeting Minutes

DRB Members Present: David Sunshine (Chair), Matt Dyer (Vice Chair), Padraic Monks, Matt Parisi,<sup>1</sup> & Robert DiPalma (remote).

DRB Members Absent: N/A.

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

Public Attendance: Bryan Currier (Item 1 engineer), Martha and Joe McSherry (1613 Hillview Road), Franz Bernstein (679 Old County Lane), Melanie Giangreco (1860 Hillview Road), Ed & Candi Thornton (1242 Jericho Road), Toby Buxton (1908 Hillview Road), MMCTV Erin Wagg, Danielle Morin (113 Pleasant Street, Unit 2), Bonnie Morin (142 Mountain View Road), Chelsye & Trevor Brooks (1364 Jericho Road), Rachel & Ryan Gray (267 Blueberry Farm Road), Jeff Olesky (Item 2 engineer); Jay McCormack (Item “A” Applicant), and Jason Osterman (103 Pleasant Street).

Start Time: ~7:00

### Summary

**Agenda Item # 1: SK2025-008, Lands of Copp/Weaver & Downer, Parcel ID: HV1950**

- Applicant Larry Copp, represented by engineer Bryan Currier of O’Leary-Burke Civil Associates, LLC, presented opening remarks on the proposed two-lot subdivision and associated boundary line adjustments at 1950 Hillview Road. The proposed subdivision also includes modifications to a previously approved building envelope.
  - o Currier explained the history of the lot, including a former 3-lot subdivision and subsequent boundary line adjustments.
  - o Currier acknowledged that private road would need to be upgraded at points to satisfy Rural Road Standards.
  - o Currier explained that the landowner’s future intentions for the land do not include further subdivision.
- Potential impacts to deer wintering areas were discussed.
  - o Currier acknowledged that while the Deer Wintering Area overlaps a bit with the proposed building envelope for Lot 2, that the building envelope could be shifted to avoid the mapped deer wintering area.
    - DRB Member Monks opined that it would be helpful to see an assessment of impacts to the deer wintering yard, as well as impacts to forest lands.

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<sup>1</sup> DRB Member Matt Parisi recused himself on the hearing for Item 2, CR2026-002, because it is his application. He also did not hear Item A, for having formerly recused himself.

- The need for various State permits was discussed, including likely or possible need for Wastewater Systems and Potable Water Supply, Operational Stormwater, and Stream Alteration permits.
- It was confirmed that streams and surface water be included in the final subdivision plans, particularly two (2) blue lined streams.
- Neighbors Rachel and Ryan Gray spoke to concerns with increased runoff across the Blueberry Farm Road—they are worried about the Road getting washed out and being stranded at their house. The Grays want to ensure that runoff is being considered, and that it is being planned around.
  - o Rachel Gray explained that a stream falls between Lots Two and Four, and that runs down and crosses Blueberry Farm Road.
    - The existing culverts are already stressed, and run-off goes over the Road.
      - Two existing culverts are in place, side by side, that are usually at max capacity during big rain events.
- **Conclusion: Because this is a sketch plan review, nothing is binding on the Applicant and the DRB does not issue a decision.**

**Agenda Item # 2: CR2026-002, Matthew “Matt” Parisi, Parcel ID: EM0112**

- DRB Member Parisi recused himself prior to this continued hearing on Agenda Item #2 for having a conflict of interest as the Applicant.
- DRB Chair Sunshine reiterated the Board’s water concerns--how will Applicant be keeping it off other, abutting properties.
- Applicant Matt Parisi explained that the inclusion of a third drywell accounted for the new impervious surface, especially considering that small infill developments like this one do not create a tremendous amount of runoff.
  - o He explained that the existing southwest drywell is 12x12x12, and the middle drywell is about 8x8x9. The bottom of the existing drywells is a sand layer.
  - o Parisi further explained that swales exist on the eastern and western sides of the lot.
- Applicant’s engineer, Jeff Olesky with Catamount Consulting Engineers, was present to speak towards the engineering side of things with stormwater management.
  - o The persistent problem of Route Two runoff was discussed, including that no stormwater infrastructure exists on Route Two near the project site.
    - Resident Chelsye Brooks asked if the Town has stormwater infrastructure along Route Two that could be tied into.
      - Olesky mentioned that there’s no existing stormwater infrastructure on Route Two along the frontage of the project site, and that even if there was, that it would be difficult to pump water up hill—the natural course of drainage is downhill, to the south of the site.
    - Applicant Parisi noted that when Route Two was rebuilt by the State, that they got away without actually building to the new standards.
      - Parisi noted that there’s only one storm water drain on all of East Main Street, in front of Papa McKees.
      - Osterman noted that the storm drain on Pleasant Street stops halfway down the Street.
  - o Olesky confirmed that drainage options are limited due to the smaller size of the lot and lack of pre-existing subsurface collection.

- Olesky further affirmed that the designs have collected roof water runoff to the best of the ability, and that site grading should, to the best of its ability, keep water onsite.
- Applicant Parisi noted that proposed amendments to the PUD governing document were submitted as requested.
- Neighbor Martha McSherry noted that while the drainage issues do not affect her personally, that existing water constraints should be taken into consideration and, if there's too much water to build on, not build there.
  - McSherry further noted that the parking area at the back of the building fronting Main Street is packed. There's no place to put more cars and a snow removal area. And pushing snow up against the fence will cause it to degrade faster.
  - McSherry inquired about Applicant's landscaping plan, and whether lilac bushes were included in those plans.
    - Applicant clarified that lilac was a part of existing landscape, and that the amended plans have proposed new landscaping with arborvitae.
  - McSherry questioned if the prior approval was a PUD or Subdivision and asked to see the subdivision review.
    - DeNault affirmed that he would send her those documents.
      - DeNault confirmed that a PUD application follows the subdivision process, even if it doesn't have a subdivision component. He also affirmed that a mechanism exists to amend PUDs.
    - Parisi affirmed that this was a PUD.
      - McSherry agreed.
  - McSherry noted an outrageously small parking requirement.
    - Parisi confirmed that 8 spaces presently exist.
      - When questioned where people can park in Richmond, Parisi noted that public parking exists and that other parking exists in front of the duplex.
    - DeNault affirmed that, per Section 6.1.2(d) of the Zoning Regulations, properties served by Town water and sewer only need one parking space per dwelling unit.
- Neighbors Danielle and Bonnie Morin reiterated water and downhill flooding concerns.
  - D. Morin noted that the single-family home at 114 East Main Street was built without gutters or drywells.
  - They reiterated their discomfort with the proposed plan, noting that it was the Town's responsibility to address neighbors concerns and ensure that there will not be additional water.
- Neighbor Jason Osterman inquired if any changes were made to the plans from the last hearing.
  - Parisi and Osterman spoke to failed efforts in the neighborhood to come up with a community solution to stormwater runoff.
  - Osterman reiterated that Parisi's past development has impacted his property.
  - Ultimately, Osterman is not satisfied with the current proposal, he wants to see more evidence that there will not be any more water on his property with this proposal.
- Vice Chair Dyer inquired about the square footage increase in the dry wells from what they are now.
  - Parisi and Olesky did some quick math, explaining that about 2,000 additional gallons of storage capacity will be added with the new drywell, including the
    - Olesky explained what a 25-year-rain event is a probability that the storm will occur.

- Conversation was had about proper construction methods and design features.
- DRB Member Monks explained the DRB's authority to impose additional conditions as needed.
  - He also expressed a desire to tease out whether runoff will be exacerbated by the project.
- Applicant Parisi noted that conditions for stormwater management for his project, and other small infill projects, will kill development projects in Town.
- The DRB voted unanimously to go into deliberative session.
- **Conclusion. This application, CR2026-002, is continued to the next DRB meeting on April 8, 2026, at 7:00 PM, with the following request for more information:**
  - **The Applicant shall evaluate the post-development peak flow from the site for the 25-year storm, compared to the predevelopment condition. The "site" is the land owned by the Applicant, also known as 110, 112, and 114 East Main Street. The "predevelopment condition" shall include the historical house (the duplex; 110 and 112 East Main Street).**

**Agenda Item A: Jay McCormack, 1330 Jericho Road**

- DRB Member Parisi was not present for this hearing, he recused himself earlier in the night to present on his Application.
- Applicant Jay McCormack of 1330 Jericho Road explained that he is in the process of applying for an Administrative Subdivision.
- In connection with that application, McCormack is proposing an interior lot with no frontage in the High-Density Residential District, of which the DRB needs to approve right-of-way language for.
  - McCormack affirmed that the Town's Attorney reviewed the right of way easement language and confirmed it met the Town's guidelines.
  - DeNault noted that the DRBs review here was narrowly focused on approving the easement language, not approving or reviewing the administrative subdivision application.
    - DRB Chair Sunshine affirmed that the DRB's only role here is to decide if the deed allows use of the lot over a right of way that is not owned by the lot owner.
  - DeNault noted that the language must contain boundaries, dimensions and grades of vehicular access, and the points of access onto a public road.
    - DRB Chair Sunshine noted that the boundaries can be by reference to a recorded survey.
- Neighbor Chelsye Brooks questioned if the proposed lot to be subdivided is hindered by all the dimensional requirements for the High-Density Residential Zoning District, particularly for lot frontage.
  - BRB Chair Sunshine noted that the narrow question on review here was whether the right of way language satisfies the requirements that allows it to exist as a nonconforming lot.
    - Brooks noted that the review doesn't create a new lot, just the right of way language.
- DRB Member DiPalma inquired if setback requirements are applicable to the easement boundary coming off Jericho Road.
  - DRB Chair Sunshine believed that easements do not have setback requirements.
    - DiPalma inquired if a driveway is a structure
      - DeNault noted that a structure does not include on-ground improvements.
- **Conclusion. In an open, unanimous vote the DRB (Sunshine, Dyer, Monks, and DiPalma) voted to approve Applicant's right of way language.**

## **Video Transcript**

*(note: the timestamps below correspond to the Zoom recording).<sup>2</sup>*

**DeNault** 00:00

All right, it's just about seven o'clock. We're here on March 11, 2026, for the Town of Richmond Development Review Board meeting. We are waiting a few more minutes to see if our last Board member, Mr. Bob DiPalma, will be, will be attending.

**Sunshine** 00:24

We'll give him a couple minutes.

**DeNault** 00:26

Yeah, we'll give him a couple minutes before we start. For anyone that is joining us online, if you want to be counted in the attendance, please leave your name—name, address and contact information, that being an email or phone number. Thank you.

**Wagg** 02:40

Hang on. You're still muted.

**DeNault** 02:46

Thanks Erin. We should be good now, sorry.

**Sunshine** 02:50

Okay, again welcome everybody to the March meeting of the Development Review Board for the Town of Richmond. For everybody here in the audience, please sign in in the back. And for those remotely, please indicate that you are a participant, and by doing so and offering either written or oral testimony that may qualify you as a interested party and give you the right to appeal any decision or lack of decision that we may make.

Having said all that, we have three meeting, three applications on the agenda this evening, and the first one is SK-2025-008, Lands of Copp, Weaver, and Downer.

It's a continuation of a hearing from last week, but they, we continued the hearing with no testimony. So today will be, we're hearing testimony. Its application seeks, the Applicants seek input on plants to further subdivide 1950 Hillview [Road], which is an existing 137 acre parcel in the agricultural residential zoning district, into two parcels of 109 acres and 19.1 acres. And the remaining acreage will be associated with a boundary line and building envelopment adjustment for lot two, and for those, this is basically lands to the side of the blueberry farm in Richmond.

So who's going to speak for the Applicant?

Let me swear you in. Do you swear or affirm to tell the truth, all truth, and nothing but truth?

**Currier** 04:46

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<sup>2</sup> Zoom Recording Link:

<https://us02web.zoom.us/rec/share/u885A4cEbEbl7sLCxYC4zYvqOvW3oZlzxUJ1GZmvlTwtZ1lsABMtKMYaMgyocFUe.Aa52xvJfmO6e5SoL?startTime=1773268396000>. Passcode: pU+\$0NJ8.

I do.

**Sunshine** 04:47

Okay. Is there anybody on the Board who has a conflict with this matter?

*[collective unanimous no's from all presiding DRB members, minus Bob DiPalma, who showed up later].*

Okay, why don't you introduce yourself and tell us what you have in mind here?

**Currier** 05:02

Thank you. Brian Currier, O'Leary Burke Civil Associates, representing Larry Copp. So, as you mentioned David, this is, it's really a two-lot subdivision. The project was originally approved, I think, in 2012, as a four lot subdivision at 1950 Hillview. That approval came with the creation of three building lots. It also approved an upgrade of the existing Blueberry Farm Road to meet your rural road standards. The driveway, my understanding of the Rural Road standards have been upgraded at this point, but none of the building lots have been built on. But the mylar has been recorded. Those lots are buildable lots today, the owners just haven't pulled any building permits for them yet. So the proposal in front of you tonight, though, is the further subdivision of Lot One, which was the large remaining land piece in the back of the property and the proposals the further subdivide Lot One into Lot One, the new Lot One of 109 acres and Lot Four, which basically includes the building site that was previously on Lot One, but that's 19.1 acres. In addition, there's a few boundary line adjustments associated with the, with the property, specifically Lot Two, and the lands of Larry Copp just to the south of Lot Two. So the plan that was submitted for you folks, the lines that are shown in blue are the proposed subdivision and boundary line adjustment lines, and what's shown in red are the new building envelopes and driveways. They're just shown pictorially. There's no grading, or, you know, a ton of design, as we're at sketch here tonight. But what's in blue and what's in red is what we're asking for changes. Everything in black is what was previously approved from the 2012 subdivision. Another piece of this is as Richmond's regs only allow, you know, three units to be served off of a driveway, the fourth—triggering the Rural Road standard—we are proposing to extend the Rural Road to the driveway shown on lot two, as we're adding one other lot off the end of the current rural road. So we're proposing to extend that roughly, I think it's like 200 feet, include a turnaround at the end, but that will keep us under the requirement for units served off a driveway.

So I did read Dante's staff report.

I didn't have much. There was a request to correct an acreage call out of Lot Three, there was a boundary line, or Dante's assumption that there was a boundary line adjustment for Lot Three, post 2012 subdivision, is correct. Lot Three used to have frontage on Hillview Road, that has since been pulled back to a tributary in between the homes on Hillview Road and further uphill. So Lot Three.

**Sunshine** 08:32

Is the mylar recorded for that boundary?

**Currier** 08:34

There is, and it's been done, it was done prior to this submittal and was Administrative Approval. But Lot Three is 5.2 acres shown in the configuration on the plan there. But the change was when it was nine acres, it required frontage on Hillview Road, that has since been amended, so that was the

discrepancy there.

Another piece that Dante and I are looking for feedback on is an approval condition from the 2012 subdivision said that if Lot One, being the, you know, the 137 acres in the back of the lot was to be further subdivided in the future, the Board would weigh their options about whether or not a professional should take a look at deer wintering areas on the property.

So Dante provided an ANR Atlas map of the known deer wintering areas. He did indicate that the building envelope for Lot Two, I think overlaps with it a little bit, just where there's that little knob, yeah, right there. So I think we can shift our building envelope out of the way, you know, shift it a little further towards the west, in order to avoid that mapped deer wintering.

**Sunshine 10:00**

Easier than fighting with the State over deer winter yards.

**Currier 10:03**

That would be my preference. Yeah. So, you know, we're willing to make that change, hoping that, that will satisfy that criteria.

**Dyer 10:20**

So really, correct me if I'm wrong, compared to the 2012, there's only one more building proposed in this, is that correct?

**Currier 10:30**

That's correct. So it's only Lot One is the only, it's a two-lot subdivision. Really, it's a two-lot subdivision with a boundary line adjustment.

**DeNault 10:40**

And I do have that map, if any, if any Board members want to look at the.

**Sunshine 10:45**

Which, the boundary adjustment map?

**DeNault 10:46**

No, this is the three lot subdivision from 2012.

**Sunshine 10:48**

Oh, okay, right.

**Dyer 10:49**

Perfect, thanks.

Okay, yeah, that, so, yeah, that's what my next question, for the original Lot Two. It looks like this. It was rectangular, and there's that gray line, yep, the original boundary, yeah, like a little bit.

**Currier 11:10**

Yeah, it was a bit of a strange configuration. I think it was to get to the minimum lot size of 10 at the time. So part of our proposal would be to give a large portion of the eastern part of the lot to Larry

Copp, the adjoiner to Lot Two, and then to extend the lot lines out, as shown in blue, and raise the building envelope a little further up the hillside.

**Sunshine** 11:39

So we really have no jurisdiction over the boundary line adjustments.

**Sunshine** 11:43

Correct, yes, it's just, just for your knowledge it's associated with this project. Correct.

**Currier** 11:47

Yeah, it coincides with the amended building envelope, which I do think you

**Sunshine** 11:53

Do have a say in?

**Currier** 11:55

Yep.

**Dyer** 11:57

So, I'm sorry, forgive me here.

I'm just confused about Lot Two a little bit. Lot Two, so originally, I see this here, now it's sort of an L-shape currently, and so the southern wing of that is going to go to the Cops?

**Currier** 12:23

Yeah, so what's shown in black, it's kind of a box here, this area. So this is the new line, and this would go like that.

**Dyer** 12:31

Okay. And the building that's grayed out a little bit in Lot Two, that doesn't exist, right? We're moving the building envelope over to the.

**Currier** 12:40

Correct, the original building envelopes were here, here, and here, again, not have been built on. But the idea is this building envelope gets shifted....

**Sunshine** 12:50

And have you dealt with the septic stuff?

**Currier** 12:54

The original 2012 lots all have wastewater permits. We have not done separate

**Sunshine** 13:00

You'll need an amended permit for this.

**Currier** 13:01

We will need a septic.

**Sunshine** 13:02

Where the houses are moved right?

**Currier** 13:04

Correct. See if we can salvage the one for Lot Two, but we'll certainly need a new one for the Lot One.

**Sunshine** 13:30

Any further questions from the Board, or suggestions?

**Monks** 13:35

Yeah, I do think it would be helpful to see, you know, an assessment of any impacts to the deer winter yard, you know, it's hard to know based on just ANR Atlas, and this. Whether that's, you know, a biologist, or, you know, some clear indication that there's no activities in not just what's mapped, but other areas that meet those criteria. And if you're going to get into impacts, then absolutely, you know, a biologist's opinion on, on that, makes sense to me.

**Currier** 14:13

Right. And would that be your, would you want to see a professional's opinion either way or only ....

**Monks** 14:24

I think it's, I think it's definitely smart. I mean, if you can come back and show, hey, look, there's, there's no impact any softwood stands anywhere, and we're so, you know, x feet from anything that is either mapped or meets the criteria, and that's your opinion, then I think that goes far enough. If it's gray, then I think you could probably speed things up by having had that professional's assessment. I'm imagining it's going to land more in the, in the latter, but I don't know. You know, it's hard just looking at sketch plan and.

**Currier** 14:53

Yeah, I wasn't around for the 2012 discussion around that. I'm not.

**Monks** 14:58

I wasn't either. I mean, even if, you know, that's, that's a standing requirement, even if it hadn't been a previous, previous requirement. Yeah, there's also a requirement in the subdivision regs to identify, you know, forest stands and also means to protect those, I just note that there's, you know, some really long access roads or driveways that are going to result in a lot of impact. It would be good to know what that area of impact is, how much forest is lost, what is the plan to preserve forest? I know that's not crystal clear in our regs as to what exactly the standard is. And you know, Dante's notes, the need, you know, the suggestion, I'd say, you know, need to get a permit determination on the need for an operational stormwater permit. That, you know, obviously seeing that upfront, because that can increase your, your footprint of, you know, disturbance.

**Currier** 16:01

Certainly, yeah, for the extensions or driveways that haven't been, you know, constructed, I do think it will fall under that.

**Monks** 16:07

I think, yeah. I mean, I think that, well, when you seek that determination, typically you would show

everything that's gone on for the project to date. And they can opine whether any existing development also needs department. I don't know, that's certainly the, that's it.

**Sunshine** 16:27

Anything else from the Board? No. Anybody in the public have questions of the Applicant?

**DeNault** 16:37

I wanted to add that there was a written public comment from Katie and Kevin Titterton of 1800 Hillview Road. And I believe that Brian answered the question. It was about, you know, what was the size of Lot Three? Did it change at some point? And Brian did answer that question earlier, mentioning that the boundary line adjustment occurred.

I see we have some comments in the chat, but before we get that, do you want to take some public comment from people in person?

**Sunshine** 17:00

I just asked and there didn't seem to be a lot of enthusiasm so.

**DeNault** 17:06

Alrighty, I see we have two comments in the chat. We'll start with Chelsye's. Chelsye says there is two blue line streams on the large, retained parcels. Should streams and surface water be included on the final plans?

**Sunshine** 17:16

Yes.

**DeNault** 17:18

Yes, and I believe that we have that signaled out in the Staff Notes.

**Currier** 17:21

Yeah, so if there's a mapped stream and we plan on crossing it, we'll certainly include it on our plans. And we'll also talk with the Rivers Program if they're going to take jurisdiction of it, and we know we need a Stream Alteration permit, so.

**Sunshine** 17:34

Always fun.

**DeNault** 17:39

And we have another question from Rachel Gray. Rachel asked, we've been concerned about increased runoff across the Blueberry Farm Road. I see that Rachel just popped on camera. Rachel, do you want to add any more comments?

**Rachel Gray** 17:54

Yeah, kind of to piggyback from what was just getting commented on about stormwater and runoff. There is a stream kind of in between lots One and Two, or excuse me, Two and Four. And that does run down and then crosses the Blueberry Farm Road, which is the access to the farm and to all of these lots, and with significant rainfall, those you know, culverts already are really stressed, and we have run off over the Road, so we just want to be sure that that's taken into consideration, and there's

a solid plan around like that, increased runoff.

**Sunshine** 18:43

That would be part of a stormwater wouldn't it?

**Monks** 18:47

Both stormwater permitting and our regs.

**Sunshine** 18:49

Yeah.

**Ryan Gray** 18:52

Okay, so there's more to come on that essentially.

**Currier** 18:56

Yeah, so, but what Padraic and I were talking about was, what's going to be jurisdictional to a new State operational permit, which is your ponds and detention facilities. So I believe that, that minimum, all the new stuff that we're showing is going to be jurisdictional to the State. And so we'll have stormwater features that hold, you know, the water back in the larger events. The State for something like this will require a 10-year event, but Richmond standards are a 25 for acquired stormwater treatment practice. So yes, we will have that further down the road, but not something we typically do for sketch.

**Ryan Gray** 19:44

Okay, I guess, yeah, our concern was, I know that there was, you know, this has been approved for a while, but we've, we've lived here for eight (8) years now, and, you know, without, without anything being developed, you know, currently, you know, just being proposed, we're definitely seeing where the culverts, there's two culverts that are in place right now, side by side, and they're pretty much at their max capacity most of the time when we have big rain events, you know, without considering the additional, you know, impervious surfaces and things that are coming. So yeah, just wanted to make sure that that's, you know, we're nervous that it's going to get washed out, essentially, then we'll be kind of left stranded, and it seems like that's becoming more and more of a threat for us. So, yeah, just making sure that that's something that's going to be taken into consideration, I think, is what we're looking for. The downstream effect kind of.

**Currier** 20:44

Yeah. So what, what state stormwater rules require is that the ponds hold back discharges in the long—the larger events—basically at the same rate of what this topography would discharge now. So basically, our post condition peak flow can exceed the precondition peak flow before the impervious surfaces are included. So that would be part of our state stormwater permitting piece of this.

**Ryan Gray** 21:17

Okay, and does that only apply to the two new lots, the ones that are being well, the ones being moved and ones being proposed. That was, just those new ones?

**Currier** 21:28

I know the 2012 lots didn't require a stormwater permit, given that was 14 years ago, and, you know, not constructed, but approved. I think there's some gray area there, but certainly for all of our new

stuff, we would be under State jurisdiction.

**Sunshine** 21:45

And they have a, what do they call it, re-subdivision rule? I think stormwater does.

**Currier** 21:53

Not that I'm aware of.

**Sunshine** 21:58

Does that ring any bells Padraic?

**Monks** 21:59

No, that term does not generally, they'll look at new impervious surface, and that's impervious surface, that's, that doesn't exist but is created. But yeah, we'll find out then what's jurisdictional and what's not.

**Sunshine** 22:18

Right. Okay, any other questions. Does that answer your?

**Ryan Gray** 22:23

Yeah, I guess so. I'm just nervous that even.

**Sunshine** 22:26

So this is a sketch plan, and he's just gathering information, and comments, and input, and then when they bring the actual application for the project, then you'll be able to have more to look at, and then you can determine whether you're comfortable with that or not.

**Ryan Gray** 22:48

Okay, that's great, perfect.

**Sunshine** 22:51

Anything else that you'd like to add?

**Ryan Gray** 22:54

No, I don't think so.

**Sunshine** 22:56

Thank you.

**Ryan Gray** 22:58

No. Thank you guys.

**Sunshine** 23:01

Do we have any other comments?

**DeNault** 23:05

Chelsea did comment. Chelsea wrote a common plan of development. I don't know if you wanted to elaborate on that, Chelsea.

**Monks 23:19**

Let me jump in, you had that in your Staff Notes. And that term would typically apply to the construction permit threshold of an acre of disturbance, either as part of a single component or of a larger common plan of development.

**DeNault 23:33**

So the question is, I think here, is there a common plan of—is that we're looking at, or, sorry, I'm thinking of, the master development plan.

**Monks 23:40**

Ah, you had that flagged as well. That's the important part of this. I think, you know, we've, we've, that comes up on our subdivisions, the need to identify what the plan is for the remaining lands. And it's, yeah, it's arguably gray. You've got, you know, a large lot. So, you'll, you'll need a master development plan. I think you've been through, perhaps you've been through that on one of your other projects.

**Currier 24:07**

Yeah, I think just from, it's more or less just a conceptual. I do, I do know that the owner's intent is not to further subdivide. The reason Lot One is still very large is there are some, you know, they do have fair amount of logging operations and forestry stuff going on out there. So the intention is to leave Lot One large, but, you know, create a building envelope on it. So whoever lives there and maintains the property, you know, we'll be in, we'll treat it like it's theirs. So there is some intent on leaving Lot One, you know, a large size, and I don't believe the owners have any intention of further subdividing that at this time. That I'm aware of the plan.

**Monks 24:54**

So that development plan will need to show that, if that's the plan.

**Dyer 25:01**

So is there any clarity on the common plan of development, or is that?

**Monks 25:05**

I was just noting that, I don't know, maybe she's just flagging that that was in Dante's comment. So I, I think there's a related question, would it require a construction permit? I think that's very clear, that it would as a stormwater construction permit where the threshold is an acre. And then we also talked about the need for a master plan. So I'm not sure if there's anything that's unanswered or, I think we flagged the concepts.

**Dyer 25:32**

Yeah, Chelsea just did add something.

**DeNault 25:36**

Yeah, Chelsea did add that the stormwater rules indicate that any impervious expansion since 2002 all gets included in expansion of impervious. If the final impervious is one acre or greater, it's jurisdictional.

It does seem like the State makes that determination.

**Monks** 25:51

They do, yeah.

**DeNault** 25:54

So, going back a page, mentioned that it will be tied into the State's operational stormwater discharge permit.... Thanks Chelsye.

**Sunshine** 26:08

Any other comments?

So since it's sketch plan, we don't give you a decision, but we gave you some input.

**Currier** 26:18

Yep.

**Sunshine** 26:21

We'll be waiting.

**Monks** 26:23

Thanks.

**Sunshine** 26:24

Thanks for coming.

**Currier** 26:26

Yeah.

**Sunshine** 26:35

Okay, next on the agenda, CR-2026-02, Matt Parisi, Parcel EM0112.

It's a continuation of a hearing from last month. The Applicant seeks conditional use approval to modify a building restraint at 112 and 114 East Main Street located in the Village Residential Commercial Zoning District.

**Parisi** 27:03

I have a conflict of interest to my application.

**Sunshine** 27:10

So you're going to recuse yourself?

**Parisi** 27:11

Yes, so I recused.

**Monks** 27:16

I do not have [a conflict in] the rest of this.

**Sunshine** 27:20

No conflict?

**Dyer 27:23**

Neither do I.

**Sunshine 27:27**

Or, I.

**Parisi 27:29**

So I guess the real question is, do we want to go over the proposed application again the same?

**Sunshine 27:35**

I don't think we need to go over everything. I think we were, unless I'm wrong, we were very concerned as a Board, and I know expressed by certain neighbors, regarding water and how you're going to deal with it, and whether you'd be able to keep it off of other property, abutting property.

**Parisi 28:04**

Yeah, so, to start with, when we initially came here for planning, back a month ago, we planned for this increase impervious by adding a third dry well. That would account for the runoff for my buildings on my property. I said what it would not account for is run-off from Route Two. It's possible. So that was, I think that was what our intention was when we went about planning for this. As far as planning further for a one in twenty-five year rain event, my engineer and I are still not fully sure that this qualifies for that, as well as, given the scope and the size of this project, it would be almost impossible to design a potential water retention pond to account for a one in twenty-five year rain event on this property. It's less than an half acre of land, so, generally, infill developments like this don't really create a tremendous amount of runoff. You know, like I said, we accounted for all the building runoff into these dry wells, and so far, they've worked. I think a lot of the runoff concerns people are seeing are a result of three major one-hundred-year flood events in the last three years. And again, that's primarily all coming from Route Two. So, and my engineer is also on right here. Hey, Jeff, do you?

**Olesky 29:59**

Yep. Good evening, everyone. Just for the record.

**Sunshine 30:02**

Hold on a sec. Let me interrupt you for a second.

So you're still under oath?

**Parisi 30:07**

Yes.

**Sunshine 30:08**

Okay. And Jeff, let me swear you in. Do you swear to or affirm to tell the truth, the whole truth, and nothing but truth?

**Olesky 30:13**

I do.

**Sunshine** 30:15

Thank you. Why don't you introduce yourself and tell us what you have, what input you have?

**Olesky** 30:21

Yeah, absolutely. So for the record, my name is Jeff Olseky with Catamount Consulting Engineers. I'm a civil engineer that has worked with Matt on several projects, and was the Civil Engineer for this project, both when we did the original house in the back, as well as these revisions here. And since the last hearing, and I apologize I wasn't at the last meeting and wasn't aware this was necessarily an issue, so I'm just kind of getting caught too speed over the last month. I have had some communication with Dante with regards to trying to get some clarification as to what sections of the regulation, you know, that the Board was specifically looking to us to address and or certify. You know, we certainly understand the Town's, you know, interest in not creating any adverse or inadvertent drainage issues on adjacent properties. And, you know, to that end, I think, you know, we had worked with Matt previously when we put the initial house in the back to proactively install and construct some dry wells, which, for those that are aware, are just areas where we have the roof drains, dumping the roof water into subsurface dry crush stone wells below the ground, really just as a means to temporarily hold water on site instead of just discharging it to the surface and letting it run. Again, I, I'm not intimately familiar with those and Matt, I don't know if you have any details. I know you were there during the construction with regard to how deep they are.

**Parisi** 32:01

Yeah, so, the, the existing one on the southwest corner is 12 by 12 by 12 feet deep. We went as far down until we hit the sand layer essentially. We hit the sand and we know it's going to just drain underneath, essentially everything. And then the other existing one, which is harder to see there. It's kind of in the middle of the property. That one is about eight by eight, and we hit sand there at about nine, nine feet, ten feet. So eight by eight by nine, and then the other one's 12 by 12 by 12. So there's a tremendous amount of crushed stone in there.

**Olesky** 32:49

Yeah, you know. And so essentially, when we look at this from a, you know, drainage and civil engineering perspective, you know, when we have a as much terrain that there is between Route Two and down to the lower portion of this property, where we have a lot of those erosion and drainage issues coming off Route Two, once we get down below to where, not only the back existing back houses but also the proposed addition that Matt's looking to construct, it actually is very flat out there, and there's no either surface drainage relief and or any type of existing subsurface collection system for us to tie into. So our options are really limited in just trying to collect and retain and infiltrate the runoff from the buildings to the best of our ability. And that's what we've done with the design with the three separate dry wells out there, is to try to collect as much of that as we can and retain it as much as much as we can. You know, what I tried to reiterate with my communications with Dante in between the last hearing and this one, is that, you know, when we talk about rain events that are a ten year rain event or a twenty-five year rain event, you know, we're talking three four inches of rain over a twenty-four hour period. And, you know, the, that amount of water, given any landscape, is going to be difficult to collect and control when we have a very limited or finite amount of space with what to store and treat it. And so not saying that it can't be done, but I would think it'd be not only very difficult to accomplish, but also difficult to, you know, pretty time consuming to model and design and treat, given the scope of the project we're talking about, which, if I understand it correctly, I think was just a little over 1000 square feet of total impervious new area between the building and the small driveway addition. So, you know, I think we've graded things to the best of our ability to keep water

on site. I think we've collected the roof water to the best of the ability, and are trying to retain that on site, you know, and I think Matt has tried to implement best management practices from a storm water management standpoint on the property, given the limit of opportunities he has.

**Parisi** 34:58

Yeah, there's also swales on the west side of the property that direct as much water as possible into those dry wells, as well as the east side of the property for any water that comes down that driveway that then directs it into the dry well that is furthest east. And they have done a really tremendous job of keeping, kind of the, the wave like events from coming down, you know, as they come down over Route Two. But as far as the excess water from Route Two, it's, you know, it has its limits.

**Monks** 35:42

Dante do. Sorry to interrupt, maybe during this conversation, if we could, if you could, pull up the comments we did provide on.

**DeNault** 35:52

Yes, from like, the request for more information from last hearing?

**Monks** 35:56

Yeah.

**DeNault** 35:57

Yeah. So it was.

**Monks** 35:58

Is that in the hearing materials?

**DeNault** 36:00

Yeah. And it's, that will be, that's also located in the meeting minutes from last meeting.

**Monks** 36:09

It is okay. Sorry.

**DeNault** 36:15

I can. I can pull up those meeting minutes too.

**Monks** 36:18

I can. I can do that. If it's helpful for others.

**DeNault** 36:20

I have them right here. They're up on the screen.

**Sunshine** 36:24

Matt, do you have any questions for the Applicant?

**DeNault** 36:28

The language is a little different.

**Parisi 36:32**

The other thing I did provide is the proposed amendments, the PUD amendments and stuff.

**Sunshine 36:37**

I saw that. Thank you.

So while Padraic is looking at that. In the audience here, are there any questions or comments of the Applicant?

**M. McSherry 36:49**

I'm sorry, I couldn't hear you, David.

**Sunshine 36:52**

Do you have any questions or comments for the Applicant?

**M. McSherry 36:57**

I sure do.

**Sunshine 36:59**

Why don't you? Where do they get a mic? They have to come up?

**DeNault 37:03**

The mic should catch from the beginning. But if you would like to come up, we can do that.

**M. McSherry 37:08**

I think I can come up.

**Sunshine 37:10**

Martha, why don't you come up, then you can use that microphone there.

**M. McSherry 37:13**

Can I sit here or?

**Sunshine 37:15**

Please do. Why don't you introduce yourself?

**M. McSherry 37:19**

I don't believe we have met before, I'm your neighbor.

**Parisi 37:21**

Nice to meet you.

**Sunshine 37:21**

Why don't you introduce yourself please?

**M. McSherry 37:24**

Hmm?

**Sunshine** 37:25

Introduce yourself, please.

**M. McSherry** 37:26

Oh, I'm Martha McSherry. I own the house at 102 East Main, which is next door to the property you're talking about. I live on Hillview. I've owned the house here for about 25 years, so I have a pretty good idea of what goes on in the back of the house before any other houses are built. Excuse me for looking at my notes, but I just don't do a lot of this stuff. So your drainage issue doesn't affect me personally. Except there was one question that one of the people at the last meeting made that I think I can answer, and that is, how does building affect flooding? And I think it's pretty well known that construction projects exacerbate flooding projects. So that's a given, I think. And you mentioned both tonight and earlier that you have constraints on what you can do because of the water that's already there. We all have constraints on our property because of various things. So that doesn't mean that you do it anyway. You have to work with what you have. If you've got too much water to build on, you don't build there. And that seems to be what I'm hearing. And, as I said, the flooding doesn't bother me, but I am interested in environmental science. So I think if you really wanted to develop something more easily and more appropriately, you'd find another piece of land. Some, I know a lot of people along Main Street--because I've lived here so long--and I hear a lot of comments about the parking in back of the house there. They, they say it's packed. There's no place to put any more cars back then you don't have any place to put the snow you have. I heard somebody say you were piling it up against the fence. Okay, that's not going to make the fence last very long but. So, I'm wondering, you talk about taking out lilacs to make room for one more car, which seems like a bit of a stretch, but were the lilacs defined during the PDU hearing as part of your landscaping.

**Parisi** 39:45

Mhmm.

**M. McSherry** 39:46

So you can't really take them out.

**Parisi** 39:48

Well, its proposed....

**M. McSherry** 39:49

You're asking to change everything in the PDU approval to proceed in your development plans.

**Parisi** 39:58

Well, I don't, I can't specifically, they were part of existing landscaping. I'm proposing new landscaping.

**M. McSherry** 40:06

Arborvitae, which is what you said.

**Parisi** 40:08

Yes.

**M. McSherry** 40:09

Which is, it's not very appropriately exchanged but. So, my big concern, though, because of my interest

in planning, because David and I served on several commissions years ago, he probably remembers this, but I'm not, I'm not convinced that whether you did was a subdivision or an ADU. Are you Dante?

**DeNault** 40:34

I am Dante.

**M. McSherry** 40:35

Okay, so we had an email conversation.

**DeNault** 40:37

Yes, we did.

**M. McSherry** 40:38

And you didn't know whether it was a subdivision or a PDU?

**DeNault** 40:41

Yes.

**M. McSherry** 40:42

So does, if anybody knows, can they send me a link to the hearing for the subdivision review?

**DeNault** 40:48

Yes.

**M. McSherry** 40:49

So I can see what that is? ....

Because subdivision reviews and PDUs are different. PDUs get some relief that the subdivision person wouldn't get, because he's following a very tight plan, and you don't, you don't go by and change them later, because you should have planned all this ahead of time. That's what the "P" in PDU is—plan. So, I would like to see more about whether you—do you get separate property bills for each of your houses?

**Parisi** 41:20

Not yet. They haven't been able to.

**M. McSherry** 41:23

They should have started that as soon as you finished your subdivision.

**Parisi** 41:26

After April 1, the Town won't do it. So it wasn't approved till after April 1, 2025.

**DeNault** 41:33

It should.

**Parisi** 41:32

They're not done yet.

**DeNault** 41:34

And it should be caught now, I chatted with the Assessor about it.

**M. McSherry** 41:37

Okay. Well, I still would like to see the subdivision review.

**DeNault** 41:40

Yeah.

**Parisi** 41:42

I think, to be clear, this was a PUD. It was a planned unit development.

**M. McSherry** 41:45

It was a PUD. It was planned ahead, and that's how you got the other house in there.... So I don't know why you had to go through, I guess subdivision, it's been so long since I've done this, but subdivision is what you go through to get a PDU approved. Is that what it is now, or?

**Parisi** 42:02

They follow some of the similar regulations, but not all of them.

**DeNault** 42:06

And I think I can provide some clarity here, because, like Martha, like Martha said, I was a little confused looking back on it. Having not been a part of it initially, the Town of Richmond does not have a PUD application. Per the regulations, the, if, it's, basically a PUD, I'm reading from Section 5.12.1 coordination of review, an application for a PUD approval shall be reviewed by the DRB as a conditional use subject to conditional use review and approval, and concurrently with review of a subdivision plat, if a subdivision is proposed. However, it does, all applications need to follow the two to three step process of a subdivision, and that's why it was classified as a subdivision from my understanding.

**M. McSherry** 42:54

Okay.

**DeNault** 42:55

It seems that it followed the subdivision process,

**M. McSherry** 42:57

Yes.

**DeNault** 42:58

But, I know some Board members were a part of those, that application, so I don't know if....

Well, this was, the PUD was, from last year, correct.

**M. McSherry** 43:19

Okay, so you'll take care of that for?

**DeNault** 43:22

Yeah, and I do have those two. I have the preliminary PUD approval, the final PUD approval, and Matt has the landscaping plan zoning permit on file with the Town as well.

**M. McSherry** 43:32

I really thought that a PDU meant that you were going to plan ahead, and then you were done. If you want to build later. You set that up in your PDU. So you say, I'm not going to build it all out this year, but next year I'm going to build more out. But that should be known in advance.

**DeNault** 43:50

Yeah, I will say there is a mechanism to amend PUDs, and I think that at the time the PUD, and I might be wrong, but the State recently changed their regulations for allowing ADUs in Town, and if the State, if this sorry, let me, let me pull, let me, let me get my thoughts together.

**Sunshine** 44:13

If the State comes out, that trumps ...

**DeNault** 44:17

Exactly.

**Sunshine** 44:19

... our regulations.

**DeNault** 44:20

So 24 V.S.A. [§] 4412(1)(e), basically says that a bylaw shall require a single-family dwelling with an accessory dwelling unit [ADU] to be subject to the same review as required for a single family dwelling without an accessory dwelling unit [ADU]. So before the State enacted that law, Matt wouldn't be able to put another unit on this lot, because this is an ADU to a single family dwelling, it has to be subject to the same review as a single family dwelling without an accessory dwelling unit [ADU]. So he's not, he's not running into, excuse me. He is not running into the maximum residential density in the zoning district.

**M. McSherry** 45:10

Except for the car. Apparently, two cars is all they require you to be able to provide for per unit, which seems outrageously small.

**DeNault** 45:19

In, in Town, for properties that are served by Town water and sewer, I believe they only need one parking space, and I believe that's also from State statute. Let me confirm that for you.

**Parisi** 45:37

There are eight existing there.

**M. McSherry** 45:40

Eight you said? Apparently to the people who go by there and go back there and whatever—it's packed.

**Parisi** 45:48

Well, I have.

**M. McSherry** 45:50

Well how many vehicles do you have?

**Parisi** 45:51

Well, I, like today for example, I have a Chevrolet 6500 dump truck back there. That's a very big vehicle.

**M. McSherry** 45:58

Yeah, so do you pay extra for your parking privileges?

**Sunshine** 46:04

He's the owner.

**Parisi** 46:08

Why would I have to pay extra?

**M. McSherry** 46:08

Just wondering if everybody has a dump truck, what happens?

**Parisi** 46:12

Well, that's a, that's a, that's a question, I think, for the State and the, you know, someone else.

**DeNault** 46:19

So to, to close the loop on the parking requirements in the zoning regs, it's Section 6.1.2(d), in any district served by municipal water and sewer that allows residential uses, the residential, the residential parking requirement for any structure containing a dwelling unit shall be one parking space per dwelling unit. So, I think to Martha's comment there, the minimum is, is exceeded here, yes.

**M. McSherry** 46:44

That's ridiculous. Where can they park? The people who live there if they only have to have one unit?

**DeNault** 46:51

I know.

**M. McSherry** 46:52

There's no place in Richmond for parking.

**Parisi** 46:55

Well, there is public parking and there's upfront in the duplex. It's two, two bedrooms, right? So, there's actually, and one of the people is a single person, so he only uses one parking spot out front, and then there's a couple in the back. So that's, they have two cars. That's three. And then I have three cars between my wife and I, and then I also have property across the street at 71 East Main Street, and I mostly park my dump truck over there because I also have a shop over there.

**M. McSherry** 47:26

Okay, so, and in terms of getting, making things work, in terms of the water, speaking of the house across the street, I understand you still have a problem there with finishing the dry, the water.

**Sunshine** 47:40

That's really not germane to what.

**M. McSherry** 47:41

Yeah, I know, except for whether you can trust his, his ability to go ahead and do what needs to be done. You took a hearing with him, and he agreed, apparently, to make changes which haven't been made so.

**Parisi** 48:00

So, I don't actually own that land. It's owned by a different entity.

**M. McSherry** 48:08

Okay.... You made the changes in the water flow.

**Parisi** 48:15

I made changes to help both neighbors. But this, again, that's a whole different application.

**M. McSherry** 48:21

No, I know that, it just bothers me and to whether you can be trusted to do things that will help everybody, as opposed to just yourself.

**Sunshine** 48:30

I think there's an application in front of us, and we should be speaking to the application and going after someone's personality.

**M. McSherry** 48:40

Well to personality, I've never met him before.

**Sunshine** 48:41

I understand.

**M. McSherry** 48:43

It's whether water, whether he's.

**Sunshine** 48:44

But we're getting you're getting interpersonal issues when you're talking about trust.

**M. McSherry** 48:48

Pardon me?

**Sunshine** 48:49

You're getting into personal issues when you're talking about trust. And I don't think that's something in front of us.

**M. McSherry** 48:54

Okay, I won't talk about that anymore, but I do have concerns about that.

**Sunshine** 48:58

I understand that.

**M. McSherry** 49:02

It's done.

**Sunshine** 49:03

Thank you. Is there any other comments from anybody here in the building?

**D. Morin** 49:13

Yeah, I would like to, I would like to speak to our consistent concerns,

**Sunshine** 49:18

Wait a second, I want to see if anybody here has any further comments. No, okay, now we'll go to those who are remote. And first we have, who do we have?

**D. Morin** 49:32

It's Danielle Morin, and I'm sitting here with my mom, Bonnie Morin, and I represent, we represent two of the three adjacent properties next door. I think you know, you folks know our stance as expressed in multiple meetings, our concern as property owners, is the water. The displacement of water with yet another building will absolutely add to the already present concerns of resting water and unpredictable flooding circumstances. To Martha's point, that's a known constraint of the current proposal. And to Jeff's point, with limited option options to address, Jeff shared, like tonight, that the amount of water would be difficult to manage or anticipate. So, so if we're saying that it's, it's hard to anticipate how much water and the impact how, how could we actually, or Matt, come up with a thoughtful plan to really mitigate the, the budding concerns? We have had more than one flooding situation back to ... it was actually the same day, and I was in my house in the flood two years in a row. I think it was July 10, two days in a row, two years in a row. So this is not a one in 25-year circumstance. Additionally, I do appreciate that there is an engineer here, because the original building, I like that he's talking about a proactive plan. But the original building was put up without gutters, without any of the drywalls that were ... now there. So that is not actually a proactive plan. And to Martha's point, when the original building was, was dropped into that location, which was confusing, because all the regulations change, and we were told that could never happen. There was no water plan initially required by the Town. So it was multiple meetings of multiple neighbors, and Matt was kind of putting pressure on the neighbors, for us all to help and join in paying for the plan that had not actually happened. And so last meeting it was very hard to hear him say that my dad was interfering with his water mitigation plan. My dad was interfering with paying for his, his retroactive plan when there wasn't something in place. So again, our concerns remain the same, and we would want to know what the Town would be able to do to guarantee that this would not increase water in all the areas, because, to Martha's point, also, when he came up with his plan and wanted to put the house in everything was supposed to be set as is, and apparently the rules have quite changed again, but that is a consistent concern. So again, to call it proactive, but then not have had a plan initially, when this is a flooding zone, and then to ask your neighbors to pay for it when you didn't have the plan in place. That was what we resisted. So I just wanted to clarify that, because that was really hard to hear last time. Thank you.

**Sunshine** 52:28

Thank you. Any other comments, remotely?

**DeNault** 52:35

I believe Jason Osterman did have a comment. He said, my main interest is understanding any changes that have been added to the plans from last month, and how can we be sure that all extra runoff has been calculated and designed into the plans given that the known issues with storm, storm runoff in the area? Jason, do you want to add your chat—written comment?

**Osterman** 52:54

Yeah, sure. It. And I'm also glad that we have an engineer that's kind of speaking to this in a qualified manner. I mean, you know, because we were thrown around a lot of comments last, last time on this, like saying, hey, the wells are working pretty well. And it's, it's subjective. You know, we need to understand, I think all of us in the area need to understand how any water that is added to this already problematic area is going to be dealt with. And I understand that there are thresholds to this, of course, you know, like the one in twenty-five-year thing. And the law says what it says. But you know, to, I mean, and Danielle's point, to everybody's point, I mean, the one in twenty-five-year thing is, I mean, it's almost trivial. It happens once a year, maybe more than that. So, with those events in mind; yeah, I expect that there will be some flooding. There will be some aerial flooding because those are big rain events. But I don't think it's fair to consider this, having any kind of concerns for any other problems, less than that, given that we already have an issue in this area. The, I mean, it's well known. It's documented over years and years. And, you know, as I said last time, it seems that we're kind of stuck between changing regulations and a, you know, honestly, poor decision making over those years. So, like I say, my, my main concern is to understand if there have been any changes to this permit to address our concerns, and if we are not sure that we have any water, extra water, that the development needs to take care of, then how can we progress with this?

**Sunshine** 54:56

Okay, thank you. Does the Applicant have any?

**Parisi** 55:04

Yeah, to address the, I guess Danielle, the Morins; before the project was actually finished, before the PUD was done, we, Keith was a part of these conversations, he walked the property with us. Jason also did. I think he can speak to this. There were efforts to mitigate this fully, but again, in order to do that, it would have required excavation not on our land. We were trying to get the storm water to basically move down a swale onto Pleasant Street and then eventually down into the railroad, down the bank. I would have paid for all the excavation work, but there was essentially too much pushback about digging on other people's land. But the only natural place for that water to go, since there's no Town or State stormwater infrastructure on Route Two, is to get it farther downhill and get it really down into the flood basin. So that was shot down. I wasn't able to do that. I had no legal rights to do that. So that's, I mean, Jason, I'd like you to speak to that—you were part of a lot of those meetings.

**Osterman** 56:23

And, you know, I certainly was trying to be proactive. And we did, obviously talk to a lot of the neighbors. And, I mean, unfortunately, we weren't able to really, in my opinion, come up with a solution that everyone was happy with, because this location, without having, as you say, all the neighbors being okay with altering their land, and, in my opinion, solving the problem for the Town, we weren't able to come up with something that made sense. And so what we ended up with, which

is, you know, it is working most of the time, I think, but, you know, it has had an effect. I mean, your development has had an effect on all of the properties around it. And so with that in mind, knowing that this is a problematic area, and adding another property onto it, you know, if this, if this, for example, was in a different spot, like where we had drainage down to, as you say, the basin area. I mean, I would be happy to say, okay, show me how that water is going to be channeled there. And we're good. But we don't have that option here. And so, as I say, my concern is that, other than the one in twenty-five-year thing, which is understandable, that you know, there's going to be aerial flooding, I need to understand that there won't be any more water on my property. And I don't know that I'm satisfied that I see evidence of that right now, other than doing is as much as you can, quote, unquote, right? And I mean, that's what we've been trying to do as neighbors over this whole, whole time. But like I say, I don't think that we ended up with a good solution. I think we ended up with a solution that, you know, worked well enough, but has had an effect on everybody else's property around it.

**Olesky 58:11**

Could I just add a few more things, just to respond? And there's been a lot said here the last 10-15 minutes. But just to clarify kind of a few points from an engineering perspective, you know, we've been throwing around, you know, one in ten-year rain event, one in twenty-five, and I just want to clarify that there's kind of theoretical numbers associated with that that, you know, if you get into a level of development where you're looking to do State permitting, they have typical one day rain events for a twenty-five year rain event, one hundred year rain event, a ten year rain event. Obviously, weather patterns over the last five to ten years have gotten more extreme. And so even though something's called a one in twenty-five-year rain event, it may be happening once a year every other year. Now, we've obviously had several very large one hundred year plus rain events over the last several years. And so, you know, I think as a whole collective, with community and statewide, is we're obviously much more attuned to that and understanding of the potential implications and impacts that that can have. You know, that being said, there's also a point where, you know, the scale of the project and the type of project that you're looking at and how you're trying to apply stormwater management and treatment can only go so far when you're in a urban infill environment like this. You know, we don't have the elevation relief, we don't have any subsurface drainage system to tie into, so we do have to, again, kind of implement best practice systems here. You know, we, that's one thing that we were kind of, I don't say, struggling with Dante, but trying to understand where, we certainly are aware of what the state stormwater requirements are. Obviously we're not at a point with this project and a scale that would require us to get to anything like that try. Trying to understand where within the Richmond Zoning bylaws, whether it's the standard zoning bylaws or the subdivision bylaws or the PUD laws, as to what the requirements are for us to either do a pre- or post-match or, you know, have a better understanding of how what we need to provide or certify in order to justify the design or the construction on this project. I'm still not sure we understand that completely, but we are sympathetic to wanting to provide the best, you know, drainage relief and treatment that we can, understanding that we are confined to the property, if we're, if no one else is interested in participating or allowing us to look at other avenues, then, you know, I think that's why we came to the conclusion with Matt of implementing these additional dry wells to really just create that best practice management. If there was another one out there that we thought would improve things better, we would be looking at it. But ultimately, given what we have available to us, we just really have to provide that water somewhere to sit temporarily, to nullify the highs of discharge for the larger rain events, so.

**Sunshine 1:01:16**

Thank you.

**Dyer** 1:01:19

Can I ask one thing?... Compared to existing, what is the, I guess, for lack of a better way to ask this, the total square footage increase in the dry wells from what they are now?

**Parisi** 1:01:33

Oh, well, we can do some math real quick, right?

**Dyer** 1:01:38

Basically, you're adding, there's the one in the corner that exists. And then you're adding this other one that's like twice the size of that one.

**Parisi** 1:01:45

Yeah. I mean, Jeff, did you? I don't. I can't really scale. Look at this really quickly here on.

**Olesky** 1:01:51

I can give you areas Matt. The one, the new, larger one between the two units, we are looking at an area of about 130 square feet. The depth is to be determined.

**Parisi** 1:01:51

Let's say the deepest we had to dig to get to the sand was 12 feet. So let's assume 12 feet.

**Olesky** 1:02:11

Yeah, but there would also be a little cover on top of that, right? I mean, we don't have the drywall stone going to the surface, so, you typically have a foot or two of cover. So, I mean, if we said ten feet deep, you know, at, I just said, what did I just say?

**Parisi** 1:02:25

And to clarify, we have a cover over one of them, the smaller one in the backyard, because there's not much surface water runoff there. It's mostly subsurface from the gutters. The one on the southwest side is actually all stone all the way to the top. And the motive there was to get as much surface runoff as possible. If the Town wanted, if this helped, I mean, I honestly don't really care one way or the other for it to be stone all the way up to grade, essentially, I'm fine with that, but I know we're trying to preserve green space too. And, yeah, that helps obviously.

**Dyer** 1:03:04

Yeah, I'm just trying to quantify what kind of increase there is.

**Parisi** 1:03:09

I think we're adding more. I mean, I guess I could, I could do this real quick. So it's 130 square feet. Did you figure out what the, that cubic volume was there, Jeff, while you were?

**Olesky** 1:03:19

Yeah, so we had 130, if I say ten feet deep, you know, we got 1,300 cubic feet. You know, and that's at some point, four, eight, you know, it's ten, and then, you know, the void space and crushed stone like that. I mean, the problem is, is you're really looking at maybe like a 20% capacity, something like that. So, you know, we're talking like maybe 2,000 gallons, something like that, in that range, you know, and that's why we were trying to, you know, explain to Dante a little bit, if this was, let's say this was

a larger scale project, and this was something where we were having to comply with State regulation, and we were having to comply with, and again, even with a State project, if it was, you know, more than one acre of impervious year, we'd be looking at just matching a ten year rain event. And less so more than looking at the total amount of water that's coming down in a ten year rain event, what we're really looking at is, you take that water and you take just the 1000 square feet that we're looking to impact here with impervious area, and what that does under the existing, if it were left lawn versus roof, and that delta is really what we're trying to determine. You know, that lack of infiltration in the natural ground, and it's not that significant on a project of this scale, and that's we were trying to impress upon Dante was like we could spend a day or two doing pre- and post-modeling and running the numbers for ten year, twenty-five whatever rain event they wanted, it's just going to show a discharge rate that goes from, you know, say, 2.1 CFS off the lot, you know, per minute, to 2.12. It's going to be really minimal given the scale of the project. I'm not saying it does not increase it. I'm just saying it doesn't increase it by a factor that I think most people believe it may. You know, water, especially when we're then collecting that water, putting it subsurface into crushed stone and letting it build up. And for your typical one, one day rain event, or your water quality rain event, which is like an inch, you know, these dry wells are going to take all that water and they'll, it'll never overflow, and then it'll infiltrate into the sand or the subsurface soils, and then have the ability to treat the next rain event. And so that's why I think you see these practices working for your everyday rain events. The only time they get overwhelmed—because there's only so much void space in that stone, or capacity within these dry wells—is that when they get pumped full of water in a ten year rain event or twenty-five year rain event, they're going to overflow and discharge off the lot. My point is, is in a twenty-five year rate event, you're having discharge off this lot regardless, you know, it's, it's pretty significant. Um, again, if, if the Town wanted us to run and do pre- and post-calculations, we could, I just don't think it's (A), it's necessarily mandated with any regulation that Matt needs to do that, and (B), I don't think the results would provide any additional insight beyond what Matt's already doing, because it's, it's kind of a best management practice to begin with. Does that? Does that all make sense?

**Parisi** 1:06:33

Also, to answer your question there. So it would be 2000 additional gallons of storage capacity over now, and the square footage of impervious surface of the building is 640 square feet.

**Osterman** 1:06:47

But does that take into account the type of stone that you would use to fill that cavity in each one of those wells?

**Parisi** 1:06:53

We use one and a half inch crushed stone, clean crushed stone.

**Olesky** 1:07:03

They key is using clean, clean crushed stones. You don't have the fine and the sediment build up in there. And then the nice thing about this is when it does get, because these dry wells get wrapped in fabric typically, or at least on top, so there's no real soil infiltration into the stone over time. And so when you're only introducing roof runoff, which doesn't, you know, theoretically, have any sediment load associated with it. It is generally just clean water getting in there, so that the capacity of those dry wells over time generally holds up pretty well.

**Parisi** 1:07:32

Yeah, there it's wrapped all the way around. I have pictures of that. Each, the two existing ones are

wrapped with filter fabric all the way around on top, and then there's a cap of about ten inches of stone.

**Dyer** 1:07:43

And Jason, I think this is what you were alluding to, is, you know, there's the volume of the hole, but how much of that hole is taken up by the stone right itself?

**Olesky** 1:07:53

Totally, yeah, that's what we were just saying with the void base. It's about 20% you know, so we calculated 10,000 gallons of capacity in the hole, but only 2,000 of usable water space if that.

**Dyer** 1:08:09

I see.

**Parisi** 1:08:10

And, I, Jeff, you could speak to this, if we use bigger stone that was clean, would that add?

**Olesky** 1:08:17

Ironically, yeah, it really depends more on, like, how it's, you know, how, how it's fractured, and how clean it is versus the size. Because it's, you know, you have bigger stones, those inherently take up more space too. So it's really just creating the void space. So generally speaking, if you took almost any different size drainage stone, as long as it's clean and washed and loosely pack it in there, it's going to have a similar amount of void space.

**Monks** 1:08:50

Just to follow up on some of Jeff's comments. I mean, one, I think you know, you wondered, you know, what part of the regs are we relying on? We do have the ability, and you know, the necessity, to impose additional conditions as needed, and we overheard there's existing runoff issues on the lot. So we're looking at this, in part, through a lens of ensuring that the drainage issues are not compounded by the project. And I guess I'm still, you know, I've heard from neighbors comments that things are worse. What I don't have a handle on is whether the additional development, you know, say, just take the original house and then look at what has been added for impervious surface in terms of roofs, roads. Is the peak discharge associated with the twenty-five year storm higher? Would it be higher as a result of this or not? Or, I guess you don't. I mean, what I gather from what you said is, you're not sure because you haven't modeled that, and that you know essentially, that's that. So I guess you know just my view. I guess I'm really curious to be able to better tease out whether runoff will be exacerbated by the project. I wouldn't think, you know, that it's a large modeling job just to look at the site in and of itself, what's going on as a result of what, what's going to change as a result of the project. I understand, yeah, it's a small site, so it's not, the flow change can't be big, but for folks experiencing drainage issues now, I think any changes is important. If there's a different way for us to get to that, to better understand what the change is. You know, we're all ears, but I don't think we can just say.

**Olesky** 1:11:11

Well, you know, as I mentioned earlier, I mean, we are happy to model that if that's something that Matt tasks us with, if the Board deems it necessary to approve the project, you know, the other part of that would be, is there, do you just want to see the results of the existing and proposed conditions as its currently designed or is there a specific threshold or a rain event, or a max or a minimum that you are seeking us to design to in order to gain your approval?

**Dyer** 1:11:49

I think we'd probably have to discuss.

**Sunshine** 1:11:50

Yeah, that's something we would have to discuss.

**Monks** 1:11:54

Fair question.

**Dyer** 1:11:53

It's good to know that, you know, there, there's maybe more than one way to get that answer, or, I don't know, maybe that's not the right way to put it. But there's.

**Monks** 1:12:07

We have to be clear on the standards. But yes, if there's, you know, again, I'm hearing two different things, you know, neighbors saying it's gotten worse, and I'm hearing you saying it hasn't, or if it has, it's negligible, like, how do we tease that out? What's the reality?

**Olesky** 1:12:26

And one other thing, and I'm certainly not trying to belittle anybody's drainage issues or concerns or problems they've had with their, their houses or their basements or even surface drainage issues, you know, but it's obviously a common theme across the State over the last several years. There's a lot of houses that people said never, never had any drainage issues whatsoever. And then, all of a sudden, you know, they've got flooding in the basement almost annually now. And so to try to necessarily blame it on a specific project or a project scope is, you know, I don't know if that's fair in Matt's offense as well.

**Monks** 1:13:04

As noted, you're looking to ensure that things are not exacerbated....

**Osterman** 1:13:14

Yeah, you know, if we do, if we look at this and, you know, we do calcs and we, and we all come to a conclusion that, you know, to the best, you know, understanding, engineering, knowledge, what have you, that, you know, this is, this is calculated properly. This is, these are the size of these things that they need to be there. And we're pretty sure that it's going to take all these extra water and all that stuff. Obviously, probably want to see that on specifications and drawings, right, like, here's the depth. Doesn't matter if you make it ten feet on the drawing, if the sand isn't there, you got to dig down till you hit sand, something like that, you know what I mean, and then specify the stone and see that on the next sort of iteration of the, of the documents.

**Olesky** 1:14:00

Yeah. And again, that would just take a little more level of design, as far as, you know, doing some soils evaluation and understanding the water table and sizing those appropriately. But again, that all can be done. It's no different than, again, larger scale projects if we're going through a State permitting process so.

**Osterman** 1:14:22

Okay.

**Sunshine** 1:14:30

Okay, any other thoughts? Comments?

**Parisi** 1:14:33

Just to make one final comment that a project of this scale being forced to go through what I would consider excessive stormwater management plans will kill maybe not only this project, but all other projects in Richmond of this size. And it's very counterintuitive to what has basically been a mandate, from the Governor from the State, to allowing, you know, easy infill of, you know, village and urban areas. And if we put these kind of constraints on this project, then I think we're going to have to put these kind of constraints on other projects moving forward of this scale and size.

**Sunshine** 1:15:38

Okay.

**Parisi** 1:15:39

That's it.

**Sunshine** 1:15:40

I think we've heard a lot. Why don't we.

**DeNault** 1:15:45

We have some comment in the chat David if you want to....

**Sunshine** 1:15:49

Oh, I'm sorry.

**DeNault** 1:15:50

So, let me scroll up. Chelsye, at some, Chelsye earlier asked, does the Town have stormwater infrastructure along Route Two that could be tied into. Jeff said, I don't believe so. I believe the answer is no. I mean.

**Olesky** 1:16:05

Yeah, I know. I know Matt, when we were looking at that property originally. I mean, it wouldn't really matter too much in this scenario, because this whole lot drains to the south regardless, so it'd be difficult to get water to run uphill anyway. But I don't think there's any, anything in the Street out there directly in front of along the frontage of this property.

**DeNault** 1:16:23

All right. Next comment from Chelsye was, without a cover, isn't there a possibility that the dry well, the dry well on the corner may be getting clogged with silt? I believe that was answered by saying there is covers. Matt is nodding his head. Chelsea also adds, would an underground plastic basin be an improvement or a possibility, or would it not be much of an improvement for the increased cost? I don't know if you all want to speak to that.

**Parisi** 1:16:45

I've no experience with these and also not really sure how you keep sediment from getting out of it.

Jeff could maybe speak to that?

**Olesky 1:15:52**

Yeah, I think she's referring to kind of the storm, the arch storm stack chambers or something like that. Those are used in, like, real urban environments where they're buried under parking lots and stuff, or you need that stormwater capacity and you can't, there's nowhere else to put it. Again, I think cost is the main factor there, those, because they need inlet structures and outlet and need to be maintained and cleaned. Those could be, you know, cost prohibitive in a project of this scale.

**DeNault 1:17:19**

Jeff, do you have any ballpark estimates for what the cost difference is between those two features?

**Olesky 1:17:26**

I don't off the top of my head, but I mean, it'd be a four or five max.

**DeNault 1:17:30**

Does it vary? Does it, are they close, or are they apart in cost?

**Olesky 1:17:35**

No, yeah. I mean, essentially digging a hole and putting some fabric and stone in it is, you know, especially when you have the equipment that already has, from a equipment standpoint, is going to be four or five times cheaper, you know, than getting involved with a storm tech design and chambers, not to mention the ongoing maintenance component of it.

**Parisi 1:17:55**

These dry wells, existing cost with my equipment, me being able to do it all myself, trucking, excavating, etc, we're still about \$2,000. Well, the bigger one was \$2,000 the smaller one was probably closer to \$1,200 just in material, materials alone, which, when you look at the total cost of a plan like this, we're looking at maybe 150,000, so you're looking very quickly at, you know, 5% of the cost, if you have to do that for every single one of them being used for that, not to mention all the engineering and so on and so forth.

**DeNault 1:18:33**

Erin also mirrored Chelsea's, mirrored Chelsea's question. And I believe "public" is Danielle and Bonnie Morin. They, they state that, unfortunately, we are still not comfortable with the proposed plan. After hearing the new information from the meeting, we would like that documented, documented. Although it may be within Matt's rights to propose this build, it is their understanding that is the Town's responsibility to address the neighbors' concerns and ensure that there will not be additional water. They are not blaming Matt, we don't want the know—they just don't want the known problem worse, especially considering the unpredictable weather. They add that the Town has restricted proposals in the past, and this is part of the Town planning process and responsibilities.

**Osterman 1:19:15**

You know, what I just thinking on that, you know, just mentioning the record. You know, I mean, I agree with that statement. I mean, as I said before, if this was proposed somewhere where, you know, the storm water would be easily seen as going somewhere that wasn't going to, you know, impact someone else's property, I'd be all for it. Because, as you know, Matt said, we do need to do infills and stuff here. So given that, you know, he's, he's obviously trying to do something that the Town is, is in

need of, but perhaps he needs a little bit of help. And the reality is, is that the root cause of this is decisions made by the Town over years or not made. And I'm talking specifically with the Zoning combined, or the regulations to allow stuff like this on more or less an ad hoc basis, or, you know, an iterative basis, or what have you, combined with the total lack of any kind of solution for stormwater at the end of Pleasant Street, from which I understand goes back decades. It's been a known issue forever, the house that was demolished to, you know, build where Danielle is right now had regular flooding, and, you know, in order to alleviate that, they graded it the way they did. It impacted everybody else. Now that we have different regulations, it's making it worse. So like, I mean, I agree this is part of a planning process wherein, if the Town was helpful and did something to mitigate this, then perhaps it would help, but having Matt do this all on his own, I, yeah, I feel like, I feel like that, if the Town had managed this better and solve some problems, you know, in the past, that maybe this would have been an easier application process. And, to Matt's point, maybe that stands for other areas in the Town that might be targeted for infill projects like this. If the infrastructure had kept up with stuff like this, then perhaps these things would be easier.

**Parisi** 1:21:16

And to finally point out, when they rebuilt Route Two over the last couple of years, the State basically got away without actually building to the new standards.

And so there's one storm water drain on all of East Main Street, in front of Papa McKees. So that entire area and that, so that's all the runoff now, Richmond, right is one big, Richmond's just on a hill, right? We just continually go all the way down to the river. So all the runoff from on the hill, from the Interstate, comes down onto Route Two, blows over Route Two, and you know, down every single property, not just mine, on East Main Street, Pleasant Street, etc., etc.

**Osterman** 1:22:03

And the storm drain stops on Pleasant Street halfway down the Street. It doesn't connect all the way, and it's not graded to solve any of these problems, so it ends up on my property and other people's property. So it's just not joined up thinking.

**Sunshine** 1:22:21

Okay, I think we've flushed this out quite a bit. I would entertain a motion to go into deliberative session.

**Dyer** 1:22:28

Yes, so moved.

**Sunshine** 1:22:29

Second?

**Monks** 1:22:30

Second.

**Sunshine** 1:22:31

All in favor?

***[collective unanimous Aye's from all present in-person members voting; Dyer, Sunshine, and Monks].***

Matt we are going to go back into deliberative session.

**Parisi** 1:22:35

All right, thank you.

**Sunshine** 1:22:37

Thank you. Thank you all for a good discussion.

**Olesky** 1:22:40

Thank you everyone for your time.

**Dyer** 1:22:42

Yeah, thanks everybody.

**DeNault** 1:22:44

We do have the, that other business item.

**Sunshine** 1:22:47

Yeah, Matt, you didn't need to stay. So the third matter is an administrative subdivision application from Jay McCormick at 1330 Jericho Road, seeking DRB approval of a right of way language for a proposed interior lot with no frontage in the High Density Residential Zoning District.

And who's going to speak for that?

**DeNault** 1:23:13

And I believe Jay is on, on the chat with us. Jay, if you want to hop on,

**McCormack** 1:23:21

Yep, I'm here.

**DeNault** 1:23:22

All right.

**Sunshine** 1:23:22

Jay, let me swear you in and swear. Do you swear or affirm to tell the truth, all truth, and nothing but truth?

**McCormack** 1:23:29

Yes.

**Sunshine** 1:23:31

Is there anyone else that's speaking for you? With you?

**McCormack** 1:23:34

No.

**Sunshine** 1:23:35

Okay, why don't you tell us what you have in mind here?

**McCormack** 1:23:40

Um, yeah, so it's a two and a half acre one lot subdivision on the front portion of the overall lot, and the easement is for the access of the, I believe it's lot two, the larger lot and, and, yes, the Town Attorney has reviewed the language of the easement and has confirmed that it meets the guidelines that's required for this so, yeah, I don't know if you need more details than that.

**DeNault** 1:24:24

Yeah, and I should add that this is in connection with an administrative sub, subdivision application, so that, those plans are not in front of the DRB right now. We're under Section 4.3 of the Richmond Zoning Regulations, proposed land development for any lot with no frontage on a public road needs to provide access to the road by a permanent easement or right of way, and such, such right away requires DRB approval under these standards. So this is a narrow review of this proposed easement language. Which in conjunction with an administrative subdivision application, and we have preliminary plans online that I can pull up if you'd like to look at those.

**Sunshine** 1:25:07

Yeah, why don't you put those up?

**DeNault** 1:25:15

And as you all know, because it's an administrative subdivision, it's kind of, that reviews collapsed, it's all together. So I'm, you know, calling it a preliminary plat. This is just kind of his, the first draft. We've not gone back and forth yet on edits.

**Sunshine** 1:25:31

So our only role here is to decide whether we feel that this deed allows use of this lot over a right of way that does not, is not owned by the lot owner.

**DeNault** 1:25:53

Correct? Yeah, it will not be when, if, you know, if and when this administrative subdivision is approved, correct.

**Sunshine** 1:25:59

Right.

**DeNault** 1:25:60

So we're looking for a plan drawn to scale showing (a) boundaries of all properties crossed by and to be served by the proposed private easement or right of way, (2) dimensions and grades of the vehicular access and, (3) the point of access onto a public road. And (4) any other information the DRB may require assuring adequate emergency access to all lots and units. So, just to summarize, we're looking for boundaries, dimensions and grades of vehicular access, and the point of access onto a public road with these plans.

**Sunshine** 1:26:30

And the boundaries can be by reference to a recorded survey.

**DeNault** 1:26:34

Exactly, correct. And I'm pulling up the plans right now, quote, unquote preliminary plans.

And this is for the site plan, and we also have the plat too for review. I'll leave it on the plat for now, I guess.

**Sunshine** 1:27:04

Any questions from the Board?

**Monks** 1:27:09

No.

**DeNault** 1:27:19

And to draw the Board's attention, that, that third paragraph of the block quote is going to be that, that, that, that right of way language. And if you would like a copy too, I'd be happy to provide one for the people in the public.

**Buxton** 1:27:37

No, I've already looked at it.

**Sunshine** 1:27:41

I'm hearing no questions from the Board. Does anybody in attendance have questions? No.

**DeNault** 1:27:48

We do have a comment from Chelsye. Is the lot hindered by all the dimensional requirements for the High Density Residential District, the Zoning District for frontage? I know it's allowed now because of it being an odd lot. But does that change things if this access easement is added?

Yeah, Chelsye, you might want to, you know, correct me if I'm wrong, but I, are you asking about, like, you know, a pre-existing, non-conforming lot, potentially, like, just that, that frontage, if, if, if it was proposed now, it wouldn't be approved?

**Dyer** 1:28:30

Potentially, that's what it sounds like, yeah.

**Sunshine** 1:28:34

But that's not in front of us?

**DeNault** 1:28:37

Correct.

**Dyer** 1:28:38

Right, we're just reading.

**DeNault** 1:28:41

Yes. I think Chelsye's just typing back.

**DeNault** 1:28:52

You're saying, does it take it out of the like the pre-existing, non-conformity? Is that the question?

I don't think so. I.

Yeah, I would say if, yeah, I would say that no, because I think this is more so tied to just their like deeds, as opposed to, you know, reconfiguring that lot. I don't know if the Board has any other.

**Sunshine** 1:29:34

Well, you have an existing lot.

**DeNault** 1:29:35

Right.

**Sunshine** 1:29:36

And it has frontage as it has.

**DeNault** 1:29:40

Right.

**Sunshine** 1:29:41

Which at one point met the requirements.

**DeNault** 1:29:46

Presumably.

**Sunshine** 1:29:48

And so what you have is a very narrow review here of a lot and a right of way. And the question is, does this right of way satisfy the requirements that allows it to exist as a preexisting lot?

**DeNault** 1:30:15

Correct Chelsye. Yeah. Chelsye's question was, this doesn't create the lot, it's just the easement. So we are just reviewing the easement slash right of way, right?

**Sunshine** 1:30:23

Correct.

**DeNault** 1:30:24

Correct. That is, that is what this narrow review is. You're welcome.

**DeNault** 1:30:30

Does anyone else in the chat, or you know out there online, have any comments?

I don't believe we have any in person.

**Sunshine** 1:30:43

What would we like to do, Board?

**DeNault** 1:30:48

I do see Robert. Robert has, oh, hey, Bob. Oh, he's been here the whole time.

**DiPalma** 1:30:54

I showed up late. My apologies.

**DeNault** 1:30:56

No worries. I didn't realize you joined. Thanks for joining us.

**Sunshine** 1:31:00

Any comments, Bob?

**DiPalma** 1:31:03

I guess a question out of ignorance, are there setback requirements applicable to the boundaries of the easement as it comes off of Jericho Road?

**Sunshine** 1:31:16

I don't think easements have setback requirements.

**DeNault** 1:31:19

I don't believe so, yeah.

**DiPalma** 1:31:21

I didn't think so either, but I just wanted to confirm that.

**Sunshine** 1:31:25

I've never been aware of that.

**DeNault** 1:31:27

I'm not either. I don't think the definition is going to help. Well, let me look, I know the setback definition says, like, you know, on ground improvements aren't included in setbacks.

Alright so the definition of a setback is the distance from a lot line, or if applicable, the center line of the road or highway right of way to the outside dimension of a building or structure on a lot measured at the ground level of any portion of the building, including the edge. That's not helpful. Yeah, this is more so talking about the you know structures, the setback provisions don't apply to fences six feet or less in height, walls, three feet or less in height, roof overhangs that extend no more than three feet from a structure, on ground improvements, or signs outside of a road right away except we're provided. It's kind of silent, but I share a similar....

**DiPalma** 1:32:25

Is a driveway a structure?

**Dyer** 1:32:28

No.

**DeNault** 1:32:29

No. A structure is...

**Dyer** 1:32:33

Driveways don't need setbacks.

**DeNault** 1:32:35

Right. Yeah, structure,

**Sunshine** 1:32:37

It's exempt.

**DeNault** 1:32:39

Yeah, on ground improvements. The term structure does not include on ground improvements.

**DiPalma** 1:32:48

Okay. Just wanted to clarify that, thank you.

**Sunshine** 1:32:57

I would entertain a motion on this—you want to go into deliberative session to discuss it or approve it?

**Dyer** 1:33:05

I'm good with it.

**Sunshine** 1:33:06

Good with approving it?

**Dyer** 1:33:08

Yeah.

**Sunshine** 1:33:09

Okay.

**Dyer** 1:33:10

I'd move to approve it.

**Sunshine** 1:33:11

Second?

**Monks** 1:33:11

I'd second that.

**Sunshine** 1:33:10

All in favor?

*[collective unanimous ayes from all participating DRB members, minus Parisi, who recused himself earlier in the night].*

...

**DiPalma** 1:33:31

I'm here. I said, I.

**Monks** 1:33:33

Now you're on the Jumbotron.

**DeNault** 1:33:36

All right, Jay, we'll be in touch about your administrative subdivision application, and by we, I mean me. Thanks for coming tonight.

**McCormack** 1:33:47

Okay. Yep, sounds good. Thanks guys.

**Monks** 1:33:49

Thank you.

**Sunshine** 1:33:52

Okay, thank you, folks, did you?

**DiPalma** 1:34:27

Dante please take it off mute please.

**DeNault** 1:34:30

Yeah, sorry, Bob. So yeah, I emailed David about this. The, the annual Zoning and Development Review Board report did not make it into the Town Plan. This is like the charts of what the Zoning Office and the DRB and all the reviews that the DRB did last year. So if anyone's looking for this information, it is posted online. It didn't make it into the, the Town Report.

**Sunshine** 1:34:54

We noticed.

**DeNault** 1:35:00

Yes, yes, as well as me. So what we've done is posted it on the website. We are making it available at all of the DRB meetings this calendar year, and I've worked with the Town Clerk to make sure this doesn't happen again. So if anyone needs that information, or if any residents are asking, you can tell them we have it, and we can direct them online. You can send them to me.

**Sunshine** 1:35:21

It is what it is.

**DeNault** 1:35:22

Yes, it is.

**Dyer** 1:35:23

The thing you wrote up?

**Sunshine** 1:35:24

Yeah.

**DeNault** 1:35:23

And then the last item of business is that we did get an appeal for the amended driveway permit. So I just wanted to put that on everyone's radar. That will be, this is Jay McCormack's driveway—the one we were just looking at. The same driveway we're just looking at. So that appeal has been filed, it's been accepted, and it's being scheduled for next month. Okay, so if the Board wants to, you know, discuss it any further that could be.

**Sunshine** 1:35:55

It's not in front of us yet.

**DeNault** 1:35:56

Exactly. So, so I think next month is when we'll review it.

**Sunshine** 1:36:59

Okay, great.

**DeNault** 1:36:02

And those were the other, the other items.

**Sunshine** 1:36:05

Okay I would entertain a motion to go into deliberative session, or to close the meeting and go into deliberative session.

**Dyer** 1:36:13

So moved.

**Sunshine** 1:36:14

Second.

**DiPalma** 1:36:15

Second.

**Sunshine** 1:36:16

All right, all in favor?

*[collective unanimous ayes from all participating DRB members, minus Parisi, who rescued himself earlier in the night].*

**DeNault** 1:36:19

All right, everyone else that's online, thank you so much for joining.

**Sunshine** 1:36:23

You'll keep Bob online, right?

**DeNault** 1:36:24

We'll keep Bob online. I'm going to kick everyone else off again. Again, if you have any questions, feel free to reach out. Have a good night.

**DiPalma** 1:36:30

Bob, which hearings did you hear?

**DiPalma** 1:36:34

I heard the second half of Matt's proposal, or probably three quarters of Matt's proposal. I heard all of the McCormick.

*[deliberative session held on Item #2, CR2026-002].*

**DeNault** 1:36:46

We are now back on the record.

**Sunshine** 1:36:50

Okay, so I'd entertain a motion to continue the Parisi hearing to April, let's just say eighth, April 8, and to adopt, and to ask him to accept the language that we have approved and to give us the results of that evaluation. Is that?

**DiPalma** 1:37:24

Second.

**Sunshine** 1:37:26

All in favor?

*[collective unanimous ayes from all participating DRB members, minus Parisi, who rescued himself earlier in the night to present on his application].*

**DeNault** 1:37:29

And I guess, just for the record, I will read out this request for more information, that being, the Applicant shall evaluate the post development peak flow from the site for the 25 year storm, compared to the pre development condition. The "site" is the land owned by the applicant, also known as 110, 112, and 114 East Main Street. The "pre-development condition" shall include the historical house (the duplex; 110 and 112 East Main Street). That will be the condition. And I believe there's still a vote to close, adjourn.

**Sunshine** 1:38:13

I would entertain a motion to adjourn.

**Dyer** 1:38:15

So moved.

**Sunshine** 1:38:16

Second. All in favor?

*[collective unanimous ayes from all participating DRB members, minus Parisi, who rescued himself earlier in the night to present on his application].*

Thank you guys.

##### end of video transcript #####

## CHAT TRANSCRIPT

00:27:27. Public: Bonnie Morin , 142 Mountain view road Richmond, VT[.]  
00:28:07. Rachel Gray: Rachel Gray, 267 Blueberry Farm Road, Richmond, VT[.]  
00:28:09. Public: Danielle Morin, 113 Pleasant Street, Unit 2, Richmond, VT 05477.  
00:28:40. Richmond Town Host: Thanks for joining us online. If you could leave your name, number and address we will get you on the attendance sheet.  
00:28:46. Chelsye Brooks: Chelsye Brooks 1364 Jericho Road Richmond VT[.]  
00:29:10. Trevor Brooks: Trevor Brooks, 1364 Jericho Road, Richmond, VT[.]  
00:39:51. Chelsye Brooks: There are two blue line streams on the large retained parcel. Should streams and surface waters be included on the final plans?  
00:41:23. Rachel Gray: We have a concern about increased runoff across the blueberry farm road.  
00:48:17. Chelsye Brooks: Common plan of development.  
00:51:30. Chelsye Brooks: Stormwater rules indicate that any impervious expansion since 2002 all gets included in expansion of impervious. If the final impervious is 1 acre or greater it's jurisdictional.  
00:52:22. Chelsye Brooks: 👍 [.]  
00:58:21. Jason Osterman: My main interest is understanding any changes that have been added to the plans from last month. And how can we be sure that all extra runoff has been calculated and designed into the plans. Given that there are known issues with storm runoff in the area.  
01:00:16. Chelsye Brooks: Replying to "My main interest is ..." You'll want to list your name & address to be listed as an interested party. 😊  
01:01:25. Jeff Olesky: Jeff Olesky[.]  
01:01:34. Jeff Olesky: Catamount Consulting Engineers[.]  
01:02:01. Jason Osterman: Jason Osterman, 103 pleasant street, Richmond[.]  
01:03:00. Public [Danielle & Bonnie Morin]: Our water concerns are consistent[.]  
01:12:40. Chelsye Brooks: Does the town have stormwater infrastructure along route 2 that could be tied into?  
01:12:53. Jeff Olesky: I don't believe so  
01:29:46. Chelsye Brooks: Without a cover, isn't there a possibility that the drywell on the corner may be getting clogged with silt from route 2?  
01:35:05. Chelsye Brooks: Would an underground plastic basin be an improvement or a possibility? Or would it not be much of an improvement for the increased cost?  
01:36:41. MMCTV Erin Wagg: I am wondering that too, like what is being built in southview[.]  
01:40:42. Public [Danielle and Bonnie Morin]: Unfortunately, we are still not comfortable with the proposed plan after hearing the new information from the meeting. We would like that documented. Although it may be within his rights to propose this build, it is my understanding that it is the towns responsibility to address the neighbor concerns and ensure that there will not be additional water. We're not blaming Matt, we dont want the known problem worse. (Especially considering the unpredictable weather).  
01:42:45. Public [Danielle and Bonnie Morin]: The town has restricted proposals in the past. This is part of the town planning process and responsibilities.  
01:49:08. Public [Danielle and Bonnie Morin]: Thank you for hearing our concerns.  
01:52:02. Chelsye Brooks: Is the front lot hindered at all by the dimensional requirements for HDR for frontage? I know it's allowed now because of it being an old lot, but does that change things if

this access easement is added?

01:55:00. Chelsye Brooks: Correct. I believe so. It's a 75ft minimum frontage.

01:55:39. Chelsye Brooks: Just trying to understand.

01:56:30. Chelsye Brooks: This doesn't create the lot - it's just the easement - so we are just reviewing the easement/row right?

01:56:44. Chelsye Brooks: Thanks.

##### end of chat transcript #####