



Town of Richmond
Planning & Zoning Office
P.O. Box 285
Richmond, VT 05477
www.richmondvt.gov

Richmond Development Review Board

April 8, 2026, Meeting Minutes

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

DRB Members Absent: N/A.

Staff: Danté DeNault (Zoning Administrator & E911 Coordinator),² and Keith Osborne (Director of Planning & Zoning).

Public Attendance: Derick Read (Item 2 engineer), Ryan Barrett (Item 2 Co-Applicant), Bryan Currier (Items 3 and 4 engineer), Wright Preston (2564 Snipe Ireland Road), Brad Elliott (1123 Snipe Ireland Road), Chelsye & Trevor Brooks (1364 Jericho Road), Edwin & Candace Thornton (1242 Jericho Road), Bob & Joy Reap (Item 3 Applicant), Rod West (920 West Main Street), Danielle Morin (113 Pleasant Street, Unit 2), Bonnie Morin (142 Mountain View Road), Ian Bender, Jay McCormack (1330 Jericho Road), and MMCTV.

Start Time: ~7:00 (note: the timestamps below correspond to the Zoom recording).³

Summary

Agenda Item # 1: CR2026-002, Matthew “Matt” Parisi, Parcel ID: EM0112

- DRB Member Parisi recused himself prior to this continued hearing on Agenda Item #1 for having a conflict of interest as the Applicant. DRB Member Parisi was present for the rest of the hearings (Agenda Items # 2-4).
- Applicant Matt Parisi and engineer Jeff Olesky, with Catamount Consulting Engineers, presented this continued application.
- Olesky explained the results of a pre- and post-condition analysis for stormwater. Per the Board’s former request for more information, the analysis was limited to on-site runoff; it did not include off-site runoff.
 - o New plan sets were provided to include a stormwater management plan, including a breakdown of drainage areas, flow pass of water, and impervious surfaces.
 - o Stormwater was reviewed under multiple rain events, including a 25-year rain event.

¹ DRB Member Parisi recused himself on the hearing for Item 1 only, CR2026-002, because it is his application.

² Zoning Administrator DeNault recused himself on the hearing for Item 4 only, AP2026-001, because he approved the application.

³ See <https://www.youtube.com/watch?v=IOC8uVFNH7s>.

question why the Applicant should add more structures and barriers to additional water flow. They also wish to see more considerations for parking.

- Olesky responded to the Morins comments, reiterating that the project has been engineered to capture all post-construction runoff.
- DRB Chair Sunshine asked for observations regarding the functionality of the drywell in heavy rain events.
 - o Applicant Parisi noted that the only time the drywells have been inundated was the July 2024 flood event.
- A picture of the current parking conditions, sent by the Morins, was displayed.
 - o Applicant Parisi replied that was not a current condition photograph.
- Resident Chelsye Brooks inquired if the drywells had a cap on it after seeing the video.
 - o Parisi explained that the new drywell will have a cap on it; the old drywell has gravel on top and is wrapped in fabric because it was originally intended to be used for a shed.
- **Conclusion. In a unanimous vote of 4-0 (Sunshine, Dyer, Monks, and DiPalma), the Board voted to approve this application, CR2026-002, with the one following condition:**
 - o **(1) Applicant's engineer will certify that the dry wells were constructed in conformance with the site plan, as was discussed during the hearing, prior to receiving a Certificate of Occupancy with the Town.**

Agenda Item # 2: CR2026-003, Jason Harvey, Parcel ID: RI0168

- Derek Reed with Krebs and Lansing represented Jason Harvey, the Applicant. Ryan Barrett also testified as the person seeking this change of use.
- Reed explained that the existing use of the support facility (garage) and parking area is for Patterson Fuels' fleet maintenance and parking. The existing garage will be used for repair and maintenance of private vehicles, a machinery service use. The parking lot will be used for both customers' vehicles and camper vehicles that will be rented out, particularly over the summer months.
- Site changes include removal of existing fuel tanks and extending the enclosed security fence line around the parking area.
- Barrett explained that traffic will be reduced with this change in use.
- Reed noted that they do not see a need to change any State permits for the work to be conducted.
- Applicants noted that the change in use will occur later this summer, around June, after Patterson Fuels moves to their new location.
- The site currently supports around 10-20 employees; about six drivers, six office workers, and six service technicians. The changed site will only have one employee, Barrett, plus the traffic from vehicle work and rentals.
- **Conclusion. In a unanimous vote of 5-0 (Sunshine, Dyer, Monks, Parisi, and DiPalma), the Board voted to approve this application, CR2026-003, with the one following condition:**

- (1) Applicant shall apply for and receive all necessary Town, State, and Federal permits, including, but not limited to:
 - (1.1) Applicant shall apply for a Town Zoning Permit and Certificate of Occupancy, and
 - (1.2) Applicant shall apply for and obtain, if needed, a State Wetlands permit.

Agenda Item # 3: SP2026-002, Robert “Bob” & Joy Reap, Parcel ID: WI0065

- Applicant Robert “Bob” Reap, including engineer Bryan Carrier of O’Leary Burke, presented opening remarks on this application.
- B. Reap discussed the plans to add three storage units, approximately 15,000 square feet, and associated site work.
- Brief discussion was held regarding requested waivers for loading, paving, and parking.
 - No concerns were raised or identified upon further discussion.
- Board Member Parisi asked questions about stormwater management.
 - Carrier explained the stormwater plans, which include French drains that run alongside the eastern property line.
- Abutting landowner, the Richmond Land Trust, represented by board members Wright Preston and Brad Elliot, submitted written comments at the onset of the meeting and spoke about questions and concerns had with the application.
 - Preston inquired about the location of a survey monument on the eastern lot line. One of the proposed structures falls around 10-12 feet of the property line. Preston was unable to locate the pin after searching for it. A request was made to find or replace the pin given the close proximity to the boundary line.
 - Carrier explained that a survey plat has been filed and recorded for the property. He further explained that the survey is reproducible by design.
 - Preston also asked about stormwater, whether it was being properly collected before it enters the Richmond Land Trust’s property and reaches Donahue Brook.
 - Carrier explained the various amendments to State permits that need to take place, as well as existing stormwater permits the site is currently under.
 - Preston asked if the swale on the north side of the proposed development is designed to capture water from the Interstate.
 - Carrier explained that the swale was not designed to capture water coming off the Interstate. He noted that the proposal would maintain an existing diversion swale that routes water around the facilities to the eastern side of the property.
 - Preston inquired if Applicant’s were amendable to curving a proposed outflow pipe where it daylights at the bottom corner of Applicant’s property and theirs.
 - Carrier and Reap were amenable to that.
 - Preston asked if it was good practice to get a stormwater easement for where the water outflows and eventually goes onto the Richmond Land Trust’s property.

- Board Chair Sunshine noted that question was best reserved for a legal opinion, not from the Board. He reiterated that the Board cannot control private easements except for interior lots with no road frontage or shared driveways.
 - Preston noted his support of the project, balanced against being a thoughtful neighbor with their own obligations.
 - Elliot asked for clarification on whether new State permits are needed for this project.
 - Carrier stated that he is aware of two permit amendments needed with the State, as well as further permitting with the Town.
- Neighbor Rod West explained prior concerns he had with an earlier permitting approval for the existing storage unit buildings. He noted that existing stormwater infrastructure on the western side of the property does a great job at mitigating most if not all runoff. He explained that he does not feel there has been any stormwater impact to his abutting property on the west.
- Resident Chelsye Brooks questioned if the wetlands delineation was consistent with the Vermont Significant Wetlands Inventory (VSWI) mapping.
 - Carrier noted that the wetlands were delineated by Fitzgerald Environmental and accepted by the State's Wetlands Program. The mapped wetlands and 50-foot buffer are marked on the plans as delineated. It is not an exact match to the VSWI map. He noted that wetland delineations are good for five years before they expire.
- ***Conclusion. By a unanimous vote of 5-0 (Sunshine, Dyer, Monks, DiPalma, and Parisi), the Board voted to approve this application, SP2026-002, as presented.***

Agenda Item # 4: AP2026-001, Chelsye & Trevor Brooks, JR1330

- Zoning Administrator DeNault recused himself as the person who issued the permit being appealed. Director of Planning and Zoning, Osborne, staffed this hearing
- Appellants Chelsye and Trevor Brooks challenge the issuance of zoning permit 2025-75 for violating the Town's Zoning Regulations, particularly the High-Density Residential District's No Build Zone.
- Appellants challenge the permit issuance, including alleged interpretations of the five foot no build zone, underground utilities within that zone, and a determination that excavation, grading, and filling associated with homesite prep are not land development.
 - Appellants note that the permit is described as limited to five specific changes; however, the plans submitted depict significantly more development than those five changes, including expanded disturbance limits, defined clearing areas, excavation and grading, development along shared property lines, and driveway dimensions that exceed what was originally permitted.
 - Appellants note that amended permits must be limited in scope to the changes, they argue that the amended plans show additional development beyond those changes. They explain that it is unclear what the permit authorizes. They argue

that the plans depict excavation and grading within the five-foot no build zone and disturbance that occurs far beyond the right of way.

- DeNault reminded the Board of their recommendation to the Applicant-Appellee to specifically list the changes made with this amended permit application. He agreed that five changes were listed in the application; (1) the addition of four culverts, (2) the removal of one culvert that was not installed, (3) the addition of two small turnaround parking areas to alleviate emergency vehicle access, (4) a reduction in the overall length of the driveway, and (5) a narrowing of the width of the driveway from the original plans.
 - o DeNault acknowledged that more features were depicted on the plans but explained that, because the Applicant submitted a narrow amendment to the previously approved and unappealed driveway permit, he sees the amended permit application as only applying to the five changes features listed.
- Applicant-Appellee McCormack did not have much to add to DeNault's remarks, he reiterated that this amended permit is a very simple amendment to the original driveway plan that was approved.
- Board Vice Chair Dyer asked DeNault to rephrase his statement.
 - o DeNault reiterated that amended permits are limited in scope to the permit already issued. He noted other features depicted and argued that the amended permit is limited to the changes that the Applicant applied for and ultimately got approval for. He clarified that any other feature depicted is beyond the scope of the issued amended driveway permit; the changes are limited to the driveway only.
- Appellants argued that the plans which accompany the amended permit is a whole package—the permit application itself does not functionally separately from the plans. They argue that plans which depict more features beyond the changes listed capture all the changes in the amended permit.
- Appellants noted confusion with Applicant's description of "as-built" driveway plans. They find it unclear whether the amended permit approved a narrower width of the driveway than what exists.
- Board Member Parisi sought clarification on the plans; whether they included preexisting conditions and proposed five new changes.
 - o Applicant-Appellee's engineer, Bryan Currier with O'Leary and Burke, noted that the biggest change he sees is to the width of the driveway. It was originally permitted for 24 feet wide throughout. He explained that there are five areas where the location of the culverts is different. He also noted that the site as it exists today is substantially similar or substantially in accordance with the driveway plan that was initially approved.
- Resident Ian Bender asked if anyone from the Board had been up to the site recently for inspection.
 - o No one responded affirmatively; Dyer noted that he hadn't been up to the site in a few months—he was last up there chasing after his dogs.

- Bender noted that, when faced with an appeal, it is probably a good idea to visit the site and view any property disturbance in person.
- Bender also inquired when the last time construction occurred on the driveway.
 - Applicant-Appellee McCormack noted that it was last summer-fall, 2025, to make minor grading adjustments to satisfy the Town's driveway requirements.
- Appellants noted that they asked Zoning Administrator DeNault to issue a violation for putting power in the no build zone and he did not issue one.
 - DeNault responded affirmatively.
 - Appellants argued that because the amended plans do not show existing utilities, that compliance for such features cannot be readily determined.
 - Appellants appreciated that the original driveway permit was not appealed and is final. They, however, noted that the original plans did not have defined limits of disturbance, excavation or grading plans, or EPSC plans. They also reiterated the argument that digging, excavation, and development occurred into the no build zone.
 - Appellants further argued that the driveway was installed in excess of 24 feet of width, noting that the width is nearly 34 feet down by their property.
- Appellants questioned if the Zoning Administrator can issue conditions of approval with a zoning permit. They claimed that they had no choice but to appeal because the amended permit does not comply with the Town's Zoning Regulations and there is no guarantee that something will be fixed.
 - Carrier noted that Zoning Administrator DeNault brought the issue of rip rap located in the no build zone to the attention of the Applicant-Appellant. Carrier confirmed the added rip rap was different from what was approved. Because of that change, Carrier affirmed that the property line was restaked and the rip rap located in the no build zone was removed.
 - DeNault confirmed that he had been out to the site and documented that that rip rap was removed from the no build zone.
 - DeNault affirmed Appellants reading of the Zoning Regulations, that they are silent as to whether the Zoning Administrator has the power to issue conditions of approval. He noted that conditional approval is an option listed on the Town's Zoning Permit Applications and aligns with prior practices of the Zoning and Planning Office. He further explained that a Certificate of Occupancy is the mechanism used to verify that permit conditions have been met and satisfied. DeNault noted that a Certificate of Occupancy is outstanding for both the driveway and the house, and that they cannot be granted until the collective appeals have been resolved.
- Appellants noted that more work on the driveway exists in the no build zone beyond the riprap that was addressed and remedied, specifically on the Baker's side of the driveway.

- DeNault explained that he is not certain if such a violation exists because no complete inspection for the Certificate of Occupancy has been undertaken yet.
 - Carrier noted that the location of the swale alongside the Baker’s property was approved in the original driveway permit and is grandfathered in. Carrier distinguished between the permitted swale and the rip rap that was added after a recent storm event to minimize erosion on Applicant-Appellee’s property.
- Appellants asked to view the legend on the original driveway permit.
 - Board Chair Sunshine and Board Member Parisi noted that the original permit is not in front of the Board.
 - Appellants noted that it is important to look at the original permit and take it in comparison and consideration to the amended permit.
 - The Board noted that Appellants point was taken and did not elect to investigate it further in real time.
 - Appellants noted that the original permit does not have a legend on it, it does not list limits of disturbance, and it does not say what’s happening. They requested that the Board draw their attention to the disturbance alongside their property line and the excavation, because it is wider than 24 feet and pushes into the no build zone, which was never permitted or planned.
- **Conclusion.** In a vote of 4-1 (Sunshine, Monks, DiPalma, and Parisi for; Dyer against), the Board voted to DENY this appeal, AP2026-001, on the grounds that the amended driveway permit deals with five items which are all consistent with the Town of Richmond’s Zoning Regulations and therefore there is no basis for overturning the issuance of the amended permit. To the extent that there are any issues with the project, as constructed, in relation to the approvals given in the permit as amended, that matter can be taken up in connection with the issuance of a Certificate of Occupancy.

Video Transcript

DeNault 00:06

It's now seven o'clock.

Sunshine 00:09

You guys all ready?

DeNault 00:10

We have a full Board here tonight.

Sunshine 00:14

Are we all set?

DeNault 00:15

Keith is, Keith has joined us online. The one thing I wanted to mention before we begin, because I will probably not end the meeting with you all tonight is that we'll need to schedule an organizational meeting to elect a majority vote, by majority vote, elect a Chair, Vice Chair and Secretary, prior to May 1 so I can reach out to.

Sunshine 00:34

I thought people have until May 16?

DeNault 00:36

This is according to the DRB's Rules of Procedure.

Sunshine 00:40

Yeah, but I think the Selectboard isn't going to make going to make a decision, until the 16th of May. We could check that, but that was my understanding.

DeNault 00:51

All right, I'll check into that.

Sunshine 00:52

Because the DRB, every other department seems to be earlier than the DRB.

DeNault 00:56

Okay, so maybe we can amend this at a future date to fit the timeline? Sounds good.

Sunshine 01:04

Okay, welcome everybody to the April sunny meeting of the DRB. We have four applications before us tonight, and for everyone, both remotely and in the audience, please sign in, and if you wish to be known as or have qualify as an interested party, which would give you the right to appeal a decision that we may or may not make, you need to offer evidence, either in writing or orally. So first meeting we have is a continuation for Matt Parisi. He seeks conditional use approval to modify a building at 112 East Main Street, located in the Village Residential Commercial District. Matt, I imagine you're going to recuse yourself.

Parisi 02:07

I have a conflict of interest. This is my application.

Sunshine 02:11

Is there anybody else on the Board who has a conflict with this application?

Parisi 02:16

No, I do not. No. Not here.

Sunshine 02:19

Matt, I swore you in, but let me swear you in again. Do you swear, affirm to tell the truth, all truth, and nothing but truth?

Parisi 02:24

Yes, I do. I'm gonna let Jeff, I think, lead the way, since primarily our kind of a conversation relates to engineering he's done.

Sunshine 02:36

Okay, Jeff, I'll swear you in. Do you swear or affirm to tell the truth, all truth, and nothing but truth.

Olesky 02:42

I do.

Sunshine 02:44

Thank you.

Olesky 02:47

Yeah. So good evening everyone. Again, obviously just a continuation from last month. And I think what, I, if it's okay with the Board, I just give a quick highlight of the supplemental information that we've provided since the last hearing, I could also quickly address some comments have come in from abutting property owner or owners and their representative, and then turn it back over to the Board for questions unless we would prefer to proceed a different way.

Sunshine 03:17

Yeah, I'd like to, I'd like you to give us your thoughts. And I'd also like, it'd be great to hear a response from you to evidence submitted by an abutting neighbor.

Olesky 03:31

Yeah, absolutely. Again, just for the record, my name is Jeff Olesky with Catamount Consulting Engineers, civil engineer for the project and here to represent Matt. You know, we walked out of last meeting there was, you know, quite a bit of debate about the stormwater runoff potential impact on adjacent properties. And ultimately, as it was relayed to us through Dante, there was a request to kind of do some stormwater analysis, and specifically do a pre-existing condition review. And by that, I mean, essentially look at the site prior to when the 114 East Main Street property was constructed, which is the house that currently exists in the back of the property. So we, when we were doing this analysis, we looked at it as if just the front building, the 112 East Main Street property, was constructed in the existing parking, and then comparing that to the proposed conditions, which again include both the current 114 East Main Street as well as the ADU that Matt is proposing to construct. And specifically, you requested, or the Board requested, that we review this under a 25-year rain event. And so what we did is potentially provided two things. One, we've included a new plan sheet, and to supplement the application, C1.1, which essentially shows an existing and proposed stormwater management plan; really a breakdown of the drainage areas, the flow pass of water, and then the amount of impervious areas associated with those and all those areas on both the existing repose are ultimately what were used to input into hydroCAD modeling, stormwater analysis, is a software that we use to kind of review these things. And so that site plan, and I'm not sure if anybody wants me to share it, or everybody's had a chance to review it, or is comfortable with that.

Sunshine 05:37

Do you want us to put that up for you?

Olesky 05:38

I'm happy to put it up. But if Dante's got it up, that works too. Whatever is easiest for the Board.

Sunshine 05:45

Yeah, Dante can put it up.

Dyer 05:47

I think it'd be good to have, have it up there and have you just kind of point out the big, big picture stuff.

It was that last one right there....

Sunshine 06:00

Go backwards....

DeNault 06:09

Was this the right one, Jeff?

Olesky 06:10

So, this is actually just the original proposed condition site plan. That's 1.0 I believe. If we went to the next plan sheet, I did see it when it initially popped up. I think it's a tab to the right, maybe Dante,

Sunshine 6:24

I think it's 1.4.

Dyer 06:25

That's it.

Olesky 06:26

There it is. Yeah, essentially, I mean, we've labeled it sheet C 1.1, just, it's the second one in the series. And ultimately, we have two viewports here. So again, the bird's eye view to the left, again, represented that preexisting condition before Matt developed any of the back part of the property. And what we delineate on these, and these are consistent with what we would provide and prepare for a state stormwater discharge permit application, is essentially a summary of areas, and that 1s, 2s, 3s, 4s, you see there essentially are just sub-catchment areas within the existing site area. And we modeled the entire property all the way to the Route Two right of way line to make sure that we were capturing everything that currently happens on site. I will say we did not account for any off-site runoff as part of this analysis, just understanding that the existing and proposed conditions, from an offsite standpoint, would be the exact same. And again, I can get into some of those specific, what those line weights mean, but the proposed condition site plan, which is the one we're kind of circled on to now, is a similar plan just broken down with the proposed areas and specifically also the proposed treatment, which consists of those two dry wells, one existing in the southeast portion of the site and then the larger new one kind, of be a rectangular shape, kind of located directly behind the back of the ADU. And the ADU being that the darker gray area that it will be attached to the existing building back there. We identified essentially just one discharge point, the native grade on this existing grade back there on this property, pretty much just runs all from Route Two and then to the south, the low point being essentially a 490 contour. You can kind of see [that] there adjacent to that existing shed on the property to the south of ours. And so everything, I will note, everything beyond the existing gravel parking lot is really essentially a big flat area right now. There's very little grade one to two percent of everything that kind of drains from the north to the south, or from top to bottom, when you're looking

at this plan sheet. And so again, we just identified one discharge point from the site, which is that that southwest corner, and evaluated the site for a 25-year rain event for both the preexisting conditions and the proposed conditions. And ultimately, the results of our analysis were summarized in the cover letter that supplemented this submission to the Board, but not only in the 25-year rain event, but the water quality rain event, the 1-year rain event, the 10-year rain event, and even up to the 100-year rain event, we found that the proposed dry wells provided sufficient storage capacity to ultimately ensure that the discharge from the site was lower post-construction than it was pre-construction. And, in addition to these plans, this plan sheet that we provided, we also included the hydroCAD modeling for both the existing and proposed conditions, but only for the 25-year rain event, because that was all that was ultimately requested by the Board. Does anybody have any questions on the material that was submitted or this plan?

Dyer 10:13

No.

Sunshine 10:15

I will, but let's hear what you have to say in response to evidence submitted.

Okesky 10:22

Yeah, and so specifically, I'm going to refer to a letter by Doug Goulette with Bowman engineering, dated April 7 of 2026. Essentially, I believe he was contacted by an abutting property owner and reviewed the plans. And I will note that I believe Doug initially filed this letter before being privy to the supplemental stormwater management plan and hydroCAD modeling that we had provided supplemental to our application. I think some of the comments are still relevant per his follow-up email he sent today to Dante, so I'll just quickly run through them and kind of address them on an item-by-item basis if that's okay with the Board. Again, referring back to that letter.

So the First question or comment relates to the existing contours. I will note that a full topographic survey was completed on this property relative to the preexisting conditions prior to 114 East Main Street being constructed. So we do feel we have accurate grade information, drainage information, relative to the site. The contours are shown on the plan and are labeled as such. I think they're relatively clear. I think there was a concern, Doug pointed out that some of the contours ran through the buildings. And I think what that is related to is when we were providing our pre and post analysis, we had left the contours on underneath the build, the proposed buildings in theory, just so that it was clear that, you know, you could still see the grades so to speak. I will say we have not prepared a, I guess, a true proposed grading plan; Matt not really feeling one was necessary given the fact that the site back there is very flat and very little proposed grading is proposed associated with this site. Everything will still continue to drain north to south, as it currently does. Now they'll obviously be some, some minor grading revisions around the proposed building footprint and perimeter to kind of make sure things drain away from the structures. But I don't think anything of too much significance.

With regards to comment number Two, I think it was referring to, you know, typically you would see some stormwater pipes and treatment features shown on a site plan. You know, again, keeping in mind that the small-scale nature of this project, we initially had not done a real site design, grading design, stormwater design relative to this project, because we didn't really feel it was necessarily required or, or was a requirement. And so there isn't a whole lot of beyond the dry wells that were previously shown on the plan and are still on the proposed plan. There wasn't a lot of infrastructure or storm water pipes or structures to show on the plan, mainly because we have really nowhere to

daylight them or discharge them. I think we went over this at length in the first hearing. You know, we're dealing with a very flat site with no surrounding infrastructure for us to tie into. So we're more or less left with the only option being to try to provide some on-site storage to mitigate the runoff, you know, from the development, and so that's why there isn't really more information on that.

Regards to bullet item number Three of Doug's letter, more or less stating that the zoning regulations require new parking to provide stormwater detention devices. I'm not really sure I necessarily agree with that plan, but I will say, I'm sorry that statement, I will say, effectively, how we've decided to treat the runoff on this site it's more or less through a site balancing technique, which is often used in State applications where it may be difficult for us to capture some runoff from some new impervious. And so we focus our efforts on where we can easily collect it and treat it. In this case, that's the roof runoff from both the 114 Main Street building as well as the ADU that Matt is proposing. And so, as the modeling kind of bears out, that the collection of all the rooftop runoff from those two structures and the temporary storage of that runoff more than offsets, you know, any discharge that the small amount of increased impervious related to the parking lot would generate.

Moving onto Item Four, you know, I think he's really discussing the dry wells, stating that there were no dimensions or details. I will note that the, both the existing and proposed dry well is called out on the proposed site plan with dimensions. We generally don't provide details as part of a site plan review, but we can certainly provide one if requested, and certainly would work with Matt to make sure he has an appropriate detail for the dry well prior to construction. I think he's done these before and is familiar with them. It's really digging a hole, putting fabric, filter fabric, around that hole so that soil can't mitigate into the crushed stone, filling it with crushed stone and covering it, so you really just have a pocket of clean, wash stone to maintain those void spaces within the stone to provide that that storage of storm water.

And then the last comment was related to providing a licensed professional engineer stamp on the plans. I am a class one licensed professional engineer, and I've been providing and doing storm water permitting in the State of Vermont for over 20-years. Happy to stamp a plan if it's necessary, and also certainly happy to you know, ensure that during construction of the dry well, that this gets done appropriately, and we could provide a certificate of certification, so to speak, prior to a CO being issued by the Town if that was deemed necessary. I think that kind of cleans up Doug's initial comments in his letter, he did have a few more via email and I'm just going to quickly touch on these.

I think that really, my only pull away here from the last email, a note is that he more or less highlights that we haven't really done any infiltration testing or soils investigation, and that is an accurate statement. We have, other than pulling the USDA or NRCS soil, underlying soils information onto the site, which again lists the soils as relatively heavy soils if not drained, which would have a hydraulic soil group rating of D. We have not done any on site analysis, other than knowing that testimony from Matt and that he's installed these dry wells in the past and hasn't had an issue with groundwater. And as I understand it, after getting to an initial top four to five feet of heavier soil profile below grade, that eventually, the soils turn into a much sandier, coarse sand material, which is ultimately what he's gotten for the dry wells that are currently on site. He's gone and down to that depth to essentially allow for some of that infiltration of the sandier soil to take place. So you know, in summary, as far as Doug's comment, you know, we haven't accounted for necessarily any groundwater that potentially could mitigate or migrate into these dry wells prior to a rain event. But on the flip side, we also are taking absolutely no credit for any type of infiltration or exfiltration of the dry well that may be occurring during a rain event. And by that, I mean, sometimes when you're designing these subsurface

dry wells and or infiltration chambers, ultimately, you can apply an infiltration rate where once the water gets into that dry well it will dissipate and ultimately infiltrate into the surrounding ground. As part of our pre- and post- modeling, we did not account for any infiltration. So ultimately, what we modeled were really just subsurface ponds with crushed stone filling in the majority of the space, but the void space within that stone providing the volume of temporary water storage required to meet the needs of the project.

Parisi 19:36

Add I want to add to that, Jeff, I can also get testimony of two of the guys that when we did the project initially, if necessary, they, I've already told this probably more than once, but the large drywall currently in place goes over twelve (12) feet down. We hit the sand layer. Once it hits the sand, it drains almost as fast as the water can go into it. And the same with the other one, wasn't twelve (12) feet down, it was about eight (8) feet down because it does vary where the clay is versus the sand, but we dug until we hit sand. And so anyways.

Olesky 20:14

Yeah, I think that, more or less, you know, wraps up my summary of addressing the comments received so far. So I'll turn it over to the Board with any questions.

Sunshine 20:26

Any questions Board?....

DiPalma 20:32

Yeah, Jeff, I need some help understanding the reports that you did. As I understand it, in, in summary, you've calculated that the conditions after proposed construction would result in an outflow from the site that is slightly lower than the outflow currently existing. Is that correct?

Olesky 20:53

That is correct, yeah. If you look at the proposed stormwater management plan, that C 1.1 sheet that we submitted, if you look at the bottom left of that plan sheet, there's essentially a summary table of both water quality, I believe, the 1-year, 10-year, 25, and 100-year rain event, and then a discharge rate for both the preexisting conditions and the proposed conditions. And I think you'll find in every scenario the post development conditions are slightly less than or equal to the preexisting conditions.

Dipalma 21:28

So are you measuring the outflow from the rainfall itself on the site only, or are you also taking into account flows from off-site?

Olesky 21:44

No, the analysis is essentially done over what's called a site area, and in this case, we utilize the perimeter of the property, or the property boundary, as the quote unquote site area. Understanding that any existing runoff that somehow gets onto the site would be no different existing versus post construction. And so oftentimes, you kind of limit your evaluation to areas that are being impacted or additionally contributing as part of the project, and either add in base flows or ignore areas around the perimeter that are not contributing so.

DiPalma 22:30

So in terms of adjoining neighbors, they may be receiving groundwater from the rain that's falling

itself, as well as from offsite conditions to their properties as well. Is that correct?

Olesky 22:45

Yeah. I mean, ultimately, obviously, a rain event is, you know, within an area is consistent throughout, so, you know, any water falling on Matt's property is falling on the adjacent properties. You know, I think Matt actually, I'm not sure if it was actually provided as testimony to the hearing tonight. But, and Matt maybe you can elaborate on this a little bit, you know, he went out, there was a rain event just a couple days ago. He went out, took a brief video of both his site and how it was discharging, interacting at the same time, looking at the property to the northwest, which I believe has a pretty substantial parking lot, rental parking lot as well. And you know, you can see the runoff being generated from both, both areas and how they compare, and understanding that every, all the all the lots in that area ultimately can contribute in some form or fashion to run off north to south.

DiPalma 23:41

So the runoff is coming from the north to the south in the general neighborhood of this property?

Olesky 23:46

Yeah, in the general neighborhood, which is why we ultimately picked the low point of, of Matt's property, which we believe is the southwest corner, the West corner, is that the lowest elevation. And so, how the modeling works, is that these dry wells that we've designed and sized, as they fill up with water, once they get to capacity, they just overflow and sheet flow and discharge, just like they currently do, or as sheet flow currently occurs across the lawn as is, so there's no outlet structure or discharge beyond the overflow component of it.

DiPalma 23:22

Thank you.

Sunshine 24:25

Any other questions for the Board?

No, okay, Matt, do you have anything else?

Parisi 24:31

I mean, I can play a video, if we want, that shows kind of like a latest rain event, a pretty good one. I'm not sure if we think it's valid or not. Would it be helpful? Would you guys like to see that?

Sunshine 24:42

Would the Board like to see that?

DiPalma 24:44

Sure,

Sunshine 24:45

Sure.

DeNault 24:47

Alright, coming up right now.

Sunshine 24:56

Are these the same pictures that we have? That are filed.

Parisi 25:01

This is, that's from a different, different date.

Sunshine 25:02

Okay.

Dyer 25:04

So, that's the southwest corner?

Parisi 25:06

That's, we're pointing towards it right now. You can actually see the swale that's actually directing all the water to that existing dry well.

There's significant rooftop runoff. You could actually see it hitting the ground there from the adjacent property that goes directly into the neighbor's backyard, which is the biggest concern area.

As we go up the property line. We, it.

Sunshine 25:57

We are back on your property now, right, looking at the neighbor?

Parisi 26:01

Correct. We are looking at the neighbors. So that's all the runoff that's coming down their driveway, and then it's actually sheet flowing towards our property, and then towards, obviously, farther south. So you can see our driveway is actually in, our kind of stormwater stuff is keeping all the water on our driveway area and or on our lawn, so.

Sunshine 26:32

Nothing else from the Board? I'll open it up to the audience, the public, whether it's here or remotely.

DeNault 26:45

Yeah, so Danielle and Bonnie Morin are emailing me currently, they don't have access to the chat, so I've been copying it over their comments, this, they are listening right now, and I can read their comments.

Sunshine 26:54

Why don't you read their comments into the record?

DeNault 26:58

Can do.

So Danielle and Bonnie are concerned that the latest model does not include the runoff to this corresponding properties. How is it considering all runoff and it is not balancing the impact on neighboring properties? It does not feel small scale for us in the runoff and the potential impact if there is more water impacting our properties. They're concerned that there is not a historical

infrastructure intact or now considered, and if they are not willing to work with neighbors, and there is not framework to support the current proposal, it is more concerning. They added that groundwater is one of their greatest concerns. The dry well is full of crushed stone but does not allow access to store water as a piece of land without a structure, includes, they also would include more parking considerations as a potential addition to their concerns. And they're also concerned about the current flow. They question, why would we add more structures and barriers to additional water flow?

Sunshine 27:54

Okay, and I'd like to note that we have submitted from their engineer some comments which Jeff responded to. Do Bonnie and Danielle have other any other comments regarding their engineer? And their engineer is?

DeNault 28:13

Their engineer is Doug bow, or Goulette, of Bowman.

Sunshine 28:16

And he's going to leave his comments to what he submitted in writing?

DeNault 28:21

Yep, they are submitted in writing, and I can add them to the meeting minutes.⁴

And that's all the emails I have from the Morins currently.

Dyer 28:28

Okay, I'd be interested to hear Jeff's response to those comments. I don't know if.

Olesky 28:36

Yeah, absolutely. You know, just going from top to bottom, you know, certainly there is runoff coming from all the properties in this area. But obviously, you know, I don't think it's appropriate to ask Matt to address runoff or stormwater issues that originate or are generated by other properties. Obviously, there's not much he can really do about that from both the logistical standpoint a practical standpoint, you know, I think Matt has taken some initiative to install these dry wells in an attempt to mitigate the runoff already. And even though they weren't properly, I'd say, maybe engineered and designed previously, they clearly were effective in mitigating some of that runoff. And now that we have evaluated them in a technical manner, I'm more confident that ultimately what he's proposing will lead to a less of a runoff issue, or stormwater management issue for the properties to the south. With regards to groundwater being one of our greatest concerns. I guess I'm not fully understanding that question. And if it relates to Doug Goulette's comment, where, ultimately, there's the potential for some of this dry well to be pre-inundated with water. Obviously, if you have a smaller rain event and it doesn't, it doesn't dry up or infiltrate into the ground before a larger rain event comes. You know, you can't really take credit for that full capacity. However, you know, we have sized these so that there is a sufficient amount of water in and around them to more than offset the amount of water going in. You know, I think based on Matt testimony, understanding that we ultimately do have some sanding sandy soils down there, we would imagine that they may not dry out in a short amount of time, but within a day or two, these would ultimately be somewhat dry, and there doesn't seem to be an evidence

⁴ See Related Files [1.17] [Public Comment from Danielle and Bonnie Morin](#); and [1.18] [Supplemental Public Comment from Danielle and Bonnie Morin](#).

of a high groundwater table in this area to begin with. So the, these dry wells should function in an appropriate manner and provide ample water capacity for the majority of, you know, rain events. Granted, they will overflow as modeled, because we are not taking credit for the water leaching out of them. But that was reflected in both the pre- and post-modeling. And then lastly, the last comment was more parking. It, just want to reiterate, you know, our proposal is shown, I think is only adding maybe a couple 100 square feet of parking. I think in total, we're showing maybe 830 square feet of new impervious, and over 600 of that is the ADU. So, you know, the amount of gravel or parking expansion that Matt needs to propose to accommodate this project is very minimal in nature and really shouldn't have much of an impact on the overall discharge from the site.

Sunshine 31:39

Matt, what's your observation for the drywall that you have installed, as far as water in a heavy rain event, is water soaking through it, or is the water coming out of it?

Parisi 31:50

The only time it's over, it's inundated, was the July 2024, flood. We had four inches of rain and whatever, four hours, whatever it was. But quite frankly, I can't tell if it was coming out of it or if it was running over the top of it, because there was a river running down everybody's yard, so.

Dyer 32:14

And in theory, Jeff, the new dry wells are designed to accommodate more than what the current one is, right?

Parisi 32:23

Well we're going to keep, so there's two current ones, and we're actually going to keep both of them and add a third one, right?

Dyer 32:28

Right ... so yeah, overall.

Parisi 32:30

There'll be a net decrease in storage.

Dyer 32:31

Yes.

Olesky 32:34

Yeah, I mean, ultimately, when we get to that level of a rain event, you're talking, you know, a 50, 100-year rain event, you know, all these dry wells and are going to fill up in short order, within the first couple hours. These rain events are typically modeled over a 24-hour discharge period, so we're talking about over a full day. And so within a first few hours, they will fill up and then overflow. But again, they're modeled that way, and the reason that the discharge from these sites is still less under that is because during that initial couple hours, instead of the water just running over the lawn, it is getting into these dry wells, and that water is getting stored, temporarily, so that it ultimately through, after the course of the evaluation, from a timeframe standpoint, ultimately leads to a slightly less discharge rate.

Sunshine 33:27

Okay, any other questions for the Board? Matt, you or Jeff have anything further?

Parisi 33:33

I don't have anything to add.

DeNault 33:34

The Morins did add, they did just send me a picture of the current driveway. If you'd like to, like me to add that to the record.

Sunshine 33:43

We're supposed to have all that 24 hours in advance.

DeNault 33:47

Yes, this is a picture of what the current parking looks like.

Sunshine 33:50

Current parking where?

DeNault 33:52

Of Matt's lot.

Sunshine 33:57

Would the Board like to see that picture?

Parisi 33:58

Sure we can see it. I don't care.

Dyer 34:02

Sure.

Parisi 34:03

There's nothing that, I was just there 30 minutes ago.

Sunshine 34:04

Post it.

DeNault 34:19

She said, please share that picture with the Board.

Parisi 34:22

That's not a current photo.

We can drive up there right now. That's not a current photo. I haven't had my dump truck there in two weeks.

Sunshine 34:33

Okay.

Parisi 34:34

I'm willing to drive up there right now or call one of my tenants.

Sunshine 34:38

No, they wanted....

Dyer 34:38

The reality is the number of cars in the lot...

Parisi 34:42

Is irrelevant.

Dyer 34:43

... doesn't affect what the, what the impervious surface area is so.

Parisi 34:49

Correct.

Sunshine 34:47

So okay, if there's nothing further.

[Undiscernible] 34:52

David, we have a hand in the back.

Sunshine 34:55

Oh, I'm sorry.

C. Brooks 34:55

No, you're fine. I just raised my hand. I just had a quick question.

Sunshine 35:00

Please identify yourself.

C. Brooks 35:01

Oh, Chelsye Brooks. Sorry, I just had a quick question for I guess Matt, the information, because I that the video that you showed is the first time I've seen the dry well, and I know that at previous hearings, I think Jeff had mentioned like that the new ones, they would have like a cap so debris doesn't get into them. That one appears to just be, like, gravel straight to the surface. So are the, is the new one?

Parisi 35:27

That one has. It's gravel on the top for six inches. And then we wrapped it with fabric.

C. Brooks 35:33

Oh so it's, okay, cool.

Parisi 35:35

I put gravel there because I was initially planning to build a shed, so it's wrapped, as it should be. And

then I was like, maybe I'm gonna build a shed there someday.

C. Brooks 35:43

Oh, okay.

Parisi 35:44

And so I wanted an area that was actually already relatively graded in level to put a shed on there.

Dyer 35:49

So the gravel on top is not part of, functionally, not part of the drywall?

Parisi 35:52

No.

Dyer 35:53

Okay,

Parisi 35:53

Yeah.

C. Brooks 35:53

Okay, yeah thanks.

Dyer 35:54

It's a good question.

Sunshine 35:56

Does that answer?

C. Brooks 35:57

Yeah. I was asking for sort of clogging, because obviously, if they get caught....

Sunshine 36:00

Any other questions ...

C. Brooks 36:03

Thank you.

Sunshine 36:03

... from either source?

Okay, what would Board like to do, do we want to go into deliberative session on this?

DiPalma 36:13

Yes, I think we should.

Sunshine 36:13

Yeah, okay. All in favor of going in, of closing the hearing, going into deliberative session, please say

aye

[collective unanimous ayes from all four (4) sitting DRB members, minus Matt Parisi, the fifth DRB member, who reused himself on this hearing only as the Applicant].

Sunshine 36:19

Thank you, Matt.

Parisi 36:22

Thank you.

Olesky 36:23

Thank you everyone have a good night.

Sunshine & DiPalma 36:26

Thank you Jeff.

Sunshine 36:30

Okay, next on our agenda is CR2026-003, Jason Harvey. They seek conditional use approval to convert an existing mechanic shop at 168 River Road in the Commercial Zoning District into a commercial multi-use building featuring machine service and rental of recreational vehicles. Hi there.

Reed 37:01

How you doing?

Sunshine 37:02

Hello, good. Let me swear both of you in. Do you swear, affirm, to tell the truth, all truth, and nothing but truth?

Reed & Barrett 37:07

I do.

Sunshine 37:08

Is there anybody on the Board that feels they have a conflict with this?

[collective unanimous no's from all five (5) sitting DRB members].

Okay. Why don't you introduce yourself and tell us what you have in mind here.

Reed 37:19

All right. Derek Reed, I'm with Krebs and Lansing Consulting Engineers representing Jason Harvey.

Barrett 37:25

Ryan Barrett, the one that's going into the new facility.

Reed 37:29

So we are basically proposing to change, I should say that the use, the building use is going to move to another location. So, we're going to reuse the garage that's there today. It's a support facility for

Patterson Fuels. Ryan's going to use it as a private use, for a garage, for a garage repair. In addition, the storage area out front will be used for parking campers that he will rent through the summer. So, the only real earth or site improvements is to fence off, you know, extend the fence, to sort of provide security from well, protect the protect the infrastructure.

Sunshine 38:24

And what happens to the tanks?

Reed 38:26

There are some tanks that are going away.

Sunshine 38:29

All of them or some of them?

Reed 38:32

Some of them. They're kind of spread around the site that are, they're going away, if, we kind of labeled the ones. There's one out front, one out back, and one shed in the middle aisle that's going away as well, so a little bit of housekeeping, so to speak.

Sunshine 38:57

So is it going to remain somewhat of a gas business too or?

Reed 39:01

Not at this site. Only, effectively a repair shop at that point. The repairing the vehicles for the, privately for Patterson Fuels, but that's, you almost wouldn't notice the difference for the use of the garage. So there'll be less trucks coming in and out on the daily, day to day.

Sunshine 39:25

And the big tank will go?

Reed 39:31

The big tank? What do you mean by the big tank?

Sunshine 39:33

There's, isn't there a tank in the front? I drove by it today. Isn't there a tank in the front?

Barrett 39:39

Yep, there's a tank right there. Then there's a propane tank in the middle, and then there's another one off to the left side, and the propane tank in the middle, and the tank off to the left side, when you pull it to the facility, is going away.

Sunshine 39:51

Okay. And you're testifying that there'll be less traffic from your use than what was previously there?

Barrett 40:09

Yep.

Reed 40:10

So the employees that are there today, it'll be dwindled down to one, you know, maybe a future employee, but at this time, just the one.

The truck traffic coming in and out will be just whoever's bringing a vehicle to drop it off. In the summer, campers, as you rent them, which I.

Barrett 40:35

Probably one, campers go in and out once a week, and there's 13 of them.

Sunshine 40:43

Okay.

So, do you, have, see any need to change any State permits for what you're doing?

Reed 40:54

No, the building use is basically, from a state standpoint, it's, there's no change.

Sunshine 41:00

Okay.

Reed 41:01

Yep.

Sunshine 41:04

Any other questions from the Board?

Monks 41:08

Yeah, the Staff Notes indicate that the change in use is, you know, as I've considered a, what, a construction activity, and that point out the zoning regs require a sign off from the wetlands program, is that, did you have a chance to do that, or, I didn't know that we did that just for change in use, but I think you read it correctly.

Reed 41:35

So we were, we had argued in our applications that there was no earth disturbance, no expansion requested, so no, no activity that would warrant us going to the Wetlands Division and we were kind of hoping that we didn't have to.

Monks 41:55

Okay, because, is that something we had the ability to waive?

Sunshine 41:59

Or is that strictly a decision of the State?

DeNault 42:03

It's more so a decision of the State for them to comment on their permits.

Sunshine 42:07

So you might need to go the state and get a letter saying.

Monks 42:10

But isn't that a, well, I guess, well, I guess it's our zoning regs that say any, any construction, any, my words, construction activity, require, you know, within the wetland buffer zone requires sign off from the wetlands program. And it just, it happens to be that we define change in use as construction activity. I don't think the wetlands program regulates that type of change, but so is, is it our ability to waive that requirement? I'm not, if it isn't, it isn't, I'm just, I'm curious.

DeNault 42:40

I'm not certain on that.

Sunshine 42:41

Okay, is there anybody at the State that would be in a position to respond to?

Monks 42:47

Sure, I mean, anyone in the wetlands program, could, you would, you know, you describe what you're doing, and they would respond back with their opinion, so that it's a, not a big deal. It just, it's curious, right? I suspect they have...

DeNault 43:01

A procedural technicality to cover and to talk to.

Monks 43:03

Yeah, yeah, okay.

DeNault 43:05

And the permit navigator did indicate that it was likely not needed, but it did, it did trigger it, or did bring it up, flagging.

Monks 43:15

Yeah, there is a wetland there.

Reed 43:18

There is a, right, so there's a, there's a wetland advisory, not advisory, Vermont State Wetlands Inventory that has, yes, identified one, and we show it on the plan, and we're outside of it with proposed, and we're not proposing to expand. So that's why we're kind of hoping that we didn't, we have to go down that road, but understandably, if we do we'll reach out to you.

Sunshine 43:47

When do you plan to do all this, this summer?

Barrett 43:49

Yeah, the new Patterson Fuels facility will be done around June, and once they leave, then I'll be taking over.

Sunshine 43:57

Where are they going?

Barrett 43:58
Avenue C.

Monks 43:59
Williston.

Sunshine 44:00
Yeah. Okay, any other thoughts or questions from the Board?

Parisi 44:05
So regarding the, the traffic. You're primarily gonna be renting the RVs in the summertime...

Barrett 44:15
Yep.

Parisi 44:16
... correct? Probably on the weekends?

Barrett 44:17
Usually week long trips. So they may go out any day of the week then come back a week later.

Parisi 44:22
How many RVs do you expect to have?

Barrett 44:26
13 this year.

Parisi 44:27
13 this year? How many do you expect to be renting per week I guess.

Barrett 44:34
In July and August, probably every single one of them, then, as it gets colder, maybe only eight a week and then it dwindles down to nothing in those winters.

Parisi 44:44
Okay. And how many, how many vehicles do you plan on working on, approximately like, are in and out?

Barrett 44:34
Per, you mean, per day, or?

Parisi 44:55
Yeah, per day, and then we can figure out per week then.

Barrett 44:57
Maybe two, three days, it depends on the project. Could only be one. There might be some vehicles there that are broke down waiting on parts. So there could be some sitting in there in the lot for a little

couple weeks or something.

Parisi 45:10

And how many employees are currently at the Patterson facility? Basically, how many drivers are there, right? How many people in and out?

Reed 45:17

I'll rely on.

Barrett 45:18

I would say, six drivers, six people in the office, six service techs.

Parisi 45:25

Ok.

Barrett 45:25

Maybe somewhere in the teens, 20.

Sunshine 45:28

So traffic will be quite less?

Barrett 45:29

Yes.

Dyer 45:30

Even with the RVs, you anticipate it being less?

Barrett 45:34

Yeah.

Dyer 45:35

Because I guess your point is, those RVs are a once a week in and out kind of deal.

Parisi 45:38

Yeah, and the propane trucks are going in and out...

Dyer 45:41

Exactly. Yeah. Okay.

Parisi 45:41

...multiple times a day. Yupp.

Sunshine 45:43

Anyone else on the Board? Anybody in the public have a comment or thoughts online?

Reed 46:01

Can I just ask a question on the zone, on the sign permit that's just dealt with it at zoning.

DeNault 46:05

Yeah, we can chat later.

Reed 46:07

Good. Sorry, just wanted to make sure I was good. We hadn't proposed anything. But there is a ... sign ... eventually.

Sunshine 46:31

What would the Board like to do?

Monks 46:34

I would move to approve it with the conditions as noted in the Staff Notes.

DeNault 46:42

And to read that, sorry, do you have to vote?

Sunshine 46:45

Do you want to enter the, those comments in the record?

Monks 46:48

Go ahead and read them.

DeNault 46:49

Do you have to vote, or?

Sunshine 46:50

No, we haven't voted yet.

Monks 46:51

... just read it.

DeNault 46:52

Okay, yes, yes. So the, the terms are to approve this application, subject to the following conditions, Applicant shall apply for it, receive all necessary Town, State, and Federal permits, including, but not limited to Applicant shall apply for a Town Zoning Permit and a Certificate of Occupancy, as well as Applicant shall apply for and obtain, if needed, a State wetlands permit. And the second condition is, Applicant shall satisfy any conditions and safeguards imposed by—opec, that doesn't apply, never mind, no conditions [on that piece].

Monks 47:21

Yeah, thanks for clarifying that.

Sunshine 47:23

Yeah. Okay, do we have a second from Bob?

DiPalma 47:24

Yes.

Sunshine 47:25

All in favor?

[collective unanimous ayes from all five (5) sitting DRB members].

So we'll try and get a decision out to you as soon as possible.

Reed 47:32

All right. Appreciate it. Thank you.

Sunshine 47:39

Thank you. Okay, third on the agenda. Robert & Joy Reap, SP2026-002. They seek site plan approval to add 13,050 square feet of warehouse use space in the Gateway District; three warehouse units and associated improvements will be added.

And who do we have here?

B. Reap 48:05

Bob Reap.

Currier 48:07

And Bryan Currier.

Sunshine 48:08

Bob Reap and Bryan. Let me swear, do you swear or affirm to tell the truth, all truth, and nothing but truth.

B. Reap 48:16

Yes.

Currier 48:17

I do.

Sunshine 48:18

You do. Anybody on the Board have a conflict of any way with this?

[collective unanimous no's from all sitting DRB members].

Okay. Why don't, you've introduced yourself. Why don't you tell us what you have in mind?

B. Reap 48:32

Three additional storage units, 15,000 square feet, as you saw, and some site work to make it happen.

Dyer 48:37

And this will be out kind of beyond where the shop area is that's back to?

B. Reap 48:41

Yeah, it's behind the, between the Interstate and the shop on the backside of the property.

Sunshine 48:44

Oh boy, you won't see it at all from Route Two then.

B. Reap 48:48

Nope.

Sunshine 48:50

And when there's leaves, you don't see anything from the Interstate really.

B. Reap 48:51

Yeah, you have to kind of not be paying attention to the road to look down and see it.

Sunshine 49:03

When do you plan to do these?

B. Reap 49:06

This summer, summer-fall.

Sunshine 49:09

So the shed business is a good business?

B. Reap 49:10

Doing all right.

Sunshine 49:16

What's your percentage of vacancy?

B. Reap 49:19

Zero.

Sunshine 49:28

I guess it's doing alright then. Anything you'd like to add or tell us?

B. Reap 49:33

I mean, it's cut and paste of what we've done. Nothing, nothing different than the first round. It's smaller.

Dyer 49:45

And it looks, looks like you're asking for waivers for some of the parking?

B. Reap 49:50

For paved.

Dyer 49:51

Loading and paving.

B. Reap 49:53

I mean, you load, everyone loads and unloads right at their own garage door. They're in and out.

Dyer 49:57

And is it the same? Did we get those same waivers for the first phase? It's the same thing basically.

B. Reap 49:58

Yes.

Monks 50:08

This area was previously permitted for a different structure? I know it said it in the application, or was it?

B. Reap 50:17

We, we put an office building there at one-point, right Bryan?

Currier 50:19

Yeah, we had an office building back in the corner there, yep.

Sunshine 50:27

What about the barn? What's happening at the barn?

B. Reap 50:30

Nothing right now.

Sunshine 50:31

Has it fallen though?

Reap 50:33

No. G.C. asks me to buy it once a week and that's about it.

Dyer 50:40

When did the silo go down?

B. Reap 50:43

It went down when we built the shop.

Dyer 50:45

Oh, I just noticed that the other day that it wasn't there anymore.

B. Reap 50:51

It was, it was on its way down and we took it down before it fell on anyone.

Dyer 50:54

Yeah.

Sunshine 51:00

So how many? I tried to count and I lost count. How many?

Currier 51:06
How many more units?

Sunshine 51:06
Yeah.

B. Reap 51:08
I think it's about 80, is that?

Currier 51:09
77.

Sunshine 51:11
That'll bring you a total of what?

B. Reap 51:15
Oh, I think we had about 165.

Sunshine 51:19
Wow.

Dyer 51:20
Or whatever that math is.

Dyer 51:24
140ish.

Sunshine 51:30
Okay.

Monks 51:33
In terms of traffic, in terms of current units, ballpark guess how many a day?

B. Reap 51:37
If I'm sitting in the shop, I probably see 20 cars a day in a 10-hour period. Little more on weekends, I would say.

Dyer 51:47
So this is maybe 50% bigger now, basically ish.

B. Reap 51:53
I mean, most people kind of put their stuff there, and you just never see them again.

Dyer 51:57
Right.

Sunshine 51:58

Is that right?

B. Reap 52:00

Yes, yeah.

Sunshine 52:04

You have people that never show up again?

B. Reap 52:05

Yes, perfect tenants.

Sunshine 52:10

Crazy. Any questions from the Board?

DiPalma 52:14

I don't think so.

Parisi 52:17

The only thing I, looking at the plans here, the, it looks like the stormwater runoff is going to be primarily handled on the south side there with the new gravel wetland.

Currier 52:33

Yeah, we have a forebay in-between the old section and the new section, which flows to a gravel wetland feature on the southern side that then discharges to the east.

Parisi 52:41

And that aligns with not dropping any runoff into that steep section down into the kind of existing river stream there that's already gotten bad since the State did their updates couple years ago?

B. Reap 52:54

I don't know if it was the State doing their updates or it was one of those storms like you were talking about with your property.

Parisi 53:00

Yeah, I think the State, when they did the changes on the.

Currier 53:03

Yeah, the Interstate acts, is a, is a big dam, so removing that constriction.

Sunshine 53:06

And that's what floods Farr's field across the road, right?

Currier 53:11

Yeah, of course.

B. Reap 53:12

It floods Farris field and it now floods my property, yeah.

Currier 53:15

Now they only repaired half the culvert, right, so whatever was there on the other side.

B. Reap 53:19

The original volume still feeds a bigger culvert. They only, they left the old eight foot on the northbound side.

Parisi 53:25

So it is.

B. Reap 53:27

So, I don't know how it's.

Parisi 53:29

Does this account for I guess it would be the west side boundary then there of the property line of the proposed plans.

Currier 53:39

So our property line, so we're right up against the side yard setback with our most eastern building.

Parisi 53:44

Yupp.

Currier 53:46

So Bob's property line doesn't go all the way to the stream and wetland area on the east side of the property. That's.

Parisi 53:51

Indeed, but there's going to be, which way are these? There's going to be runoff from the backside of these sheds, correct? Rainfall off the roof?

Currier 54:02

Yep, yeah. So we're showing a drain.

Parisi 54:08

Do you have a gutter on the entire building going into that?

Currier 54:09

Well, yeah, we don't typically see gutters on many on, you know, these types of buildings. But the, we're showing a gravel French drain on the backside that then discharges to the pond.

B. Reap 54:22

At the drip edge.

Currier 54:23

Yeah, at the drip edge.

Parisi 54:24

What is that? Is that lined with fabric, and then it has some drain in it?

Currier 54:28

It just drains with a perforated pipe in it.

Parisi 54:30

Yeah, yep.

Currier 54:32

But it's meant to convey the back of those units to the stormwater feature.

Sunshine 54:47

Any other questions? I'll open it up to the public. Any comments or questions from the public?

DeNault 54:55

Yes, we did receive written comments from the Richmond Land Trust, an abutting landowner. And I believe we have some representatives in person if they'd like to speak.

Preston 55:06

So.

Sunshine 55:07

Wright. You want to introduce yourself?

Preston 55:09

Sure, Wright Preston, board member with Richmond Land Trust, Brad Elliot, with the rich, board member of the Richmond Land Trust, and we are a part of a Stewardship Committee of the Land Trust. The Land Trust is the abutter to these, and we tried to capture in this memo thoughts that we'd like or concerns and questions we'd like answered as this project goes through your review. One is the boundary. The building is, the proposed building is within 10 or 12 feet of the boundary. We know the pin on the north side, survey pin, at the right of way. We don't, can't find due to the flooding we've had, where the survey pin is five or 600 feet down the line.

B. Reap 56:07

Did you go look for it since the flooding?

Preston 56:09

Yes, I've looked for it.

B. Reap 56:11

And who's been on my property looking for it?

Preston 56:12

I have not been on your property. Thank you.

Preston 56:16

I can't find it. So, I'm, I went with a metal detector and I simply can't find it. So part of our request is that the boundary be found. We know, we know roughly where it is but we don't know exactly where

it is. And given the proposed building is 10 or 12 feet from the boundary, we need to know where the boundaries. And then the proposal does a great job of.

Sunshine 56:49

Are we talking about? Let me go back to that. Are we talking about the, the pin in that North corner, that Northeast corner?

Preston 56:56

It's, it's known, it's a monument, state monument surveyed down the line to the south. There's a second and third pin, and can't find them.

Sunshine 57:09

Okay.

Preston 57:11

And given the proximity of the proposed building, the line, we need to know the pins up.

And then the plan is proposing that the stormwater which is being properly collected on the site will enter the lands of the Richmond Land Trust before it reaches the Donahue Brook. So we, we have questions and want to understand that further.

Sunshine 57:52

Anyone in response?

Currier 57:56

Yep, okay, so the first, I'll take the survey question. So there's a plat done for the property. Last time we were in here, I think we had various boundary line adjustments associated with it. The plat was done by Button Land Surveyors. I believe Chris Haggerty is the one who produced the plat for this property. So, the way, you know, surveying works is, it's, it's reproducible, right? So even if one of the Northeast corners is missing, it's possible. You know, Bob was saying he has seen it but.

B. Reap 58:26

I saw it with Jim Feinson[?] when I let him go on our property to plant trees for the, for those, these guys.

Currier 58:31

Yep. So, you know, maybe underground, because Ireland was, was using that space when they were fixing the culvert. But regardless, it's a reproducible survey, bearing distances, you know, are relative to the existing corners that are found. So if that corner is missing, it can certainly be reset in the same location it was located the first time. So that's, that's no problem. The lines that we show on our engineering plan are the Button plat lines that a licensed land surveyor, you know, did for the project. As we're not doing any boundary work as part of this project, is why you don't have a plat in front of you now, because we're not changing anything, right? And then regarding storm water, so we're jurisdictional to the State of Vermont. Stormwater Program, common development greater than an acre, as was the old portion of the storage facility, plus the warehouse that's on, or the, Bob shop building, as well as, leave the yurt and parking lot. All of that is considered State jurisdiction. We have a 9050 stormwater operational permit. We've been amending it over the years. I think we've amended it three or four times when the Reaps come in and add impervious surfaces to the development. So

the State standard, as we're under 10 acres of new impervious, is still 10, 10-year event. Richmond's standards are slightly above that with a 25-year event. So this pond is designed for a 25-year event. Essentially, our peak discharge in the precondition is modeled to be less than that of once it goes through the stormwater feature it's modeled to be less than that of the preexisting condition. So, this area of the Reap's property drains toward the low side, obviously, where the tributary is--it always has. We're maintaining that drainage pattern. But due to the impervious surfaces, there's a detention facility being permitted and, you know, constructed, so.

Dyer 1:00:35

Overall decrease and.

Currier 1:00:41

Yeah, usually, I'll say that we make the conditions better. So we don't usually strive to just barely be under the postcondition or the precondition. Sometimes it works out that way, but usually it makes the situation better, though, I think the flow that that stream has had, has nothing to do with the Reap's property, as we were discussing, you know, it's likely due to, you know, the State repairing a culvert on I89, would be my guess as to why they're experiencing an increase to flow there. But I don't believe that has anything to do with the Reap's property.

B. Reap 1:01:20

To add that, this is our third project with Brian, we have quite a few stormwater ponds now which kind of blows me away with what you spend on those, and I have yet to see any of them hold any substantial water, but they do have a little bit in the big rain event.

Currier 1:01:33

We say that's a good thing,

B. Reap 1:01:34

Right. The bulk of the water problem for me is that stream flooding my property behind my shop, and it's been that way for a while, and the State doesn't seem to want to do anything about it, and the Land Trust is bound by the State.

Sunshine 1:01:52

I thought the state had agreed to do something.

B. Reap 1:01:56

They just stop communicating with the Farr's and ourselves.

Sunshine 1:01:59

I know Chucky had talked about.

B. Reap 1:02:01

Yeah, I mean, it's just ghosted.

Currier 1:02:07

But happy to answer any more questions.

Sunshine 1:02:10

Any other, yes, Wright?

Preston 1:02:12

So on the north side of the proposed new development, there is a proposed new swale on the Reap's property that looks as though it is capturing water that's coming from up towards the Interstate. That hillside. Is, is the capturing of that water that's coming off the Interstate hillside included in the capacities of the stormwater ponds that you are looking to build, because you're, you're purposely capturing, trying to capture, runoff from the Interstate hillside and perhaps the Interstate itself. So we're we're wondering if those are included in your calculations?

Currier 1:03:11

Yep, do you want to, can you put the site plan up there Dante? So the answer is no, it's not designed for the slope from the Interstate down to the property. The reason being is there's a diversion swale just off of our property within the Interstate right of way. So we're maintaining that diversion swale that routes water around these facilities towards the east of the property. So the swale that's being installed is meant to collect the runoff from our impervious surfaces and from the swale, the diversion swale below. So, mind if I get up?

Sunshine 1:03:51

No, please do.

Currier 1:03:52

So, contours, when you're looking at a swale, generally open up downhill. So this is indicative of an existing drainage path, through here, from Interstate 89, that is the existing condition today. So we're basically leaving that diversion swale. So we're not collecting the water up here. It flows this way now--always has. This area, which I believe the gentleman's talking about now, is picking up the impervious associated with our building. So basically, the way we do these many storage buildings is we're high pointing, low pointing at the basin, high pointing, and then we're draining to the north, and that's consistent across both sides. The reason you have to have basins is you can't have too much sloping. Otherwise it becomes too steep in between the units. They're just not that far spaced. So, that is meant to collect our impervious and we're leaving the existing diversion swale in place.

B. Reap 1:04:49

And I'll add that I think it was about six years ago the State came to me and asked if they could come across the property and rebuild the swale that exists that Brian's talking about. And they jumped in and cleaned that up. That was all prior to that culvert incident.

Sunshine 1:05:05

Okay. Anything else, Wright, or ?

Preston 1:05:07

Would the Applicants consider, at the outlet of the swale, where it, where the pipe daylight, of the retention pond, where it daylights into crushed stone--of curving that pipe to the south, maybe 45 degrees, and allow the water to, the stormwater, to sheet across both of our properties and slow down before it hits Donahue Brook.

Currier 1:05:43

I don't have a problem with that.

B. Reap 1:05:44

I don't have a problem with that. Donahue Brook is kind of over at that point on my property now anyway. That, if you've seen it, it's left, stop going to the Farr's field, and it's all on the side of my property. So yeah, it would sheet a little further, there's a little grass left there, but that's fine with me.

Preston 1:06:02

And it's, the stream is continuing, you know this, but the stream is continuously mowed.... Not, not as far north as the proposed units, but certainly south of there, it's got a mind of its own.

Currier 1:06:15

So what we would do is, probably, instead of putting a 45 at the end, we would just redirect and, you know, rotate straight pipe room, yeah, we rotate the pipe so it's pointing more downstream.

B. Reap 1:06:28

Fine with me.

Currier 1:06:29

Yeah, no problem.

Preston 1:06:30

And then maybe Brad has a question or two. But, is there in situations like this where there's a proposal to have storm water, a storm water channel, if you, I'm sure that's not, that's on an abutters property. Is there the thought, or the requirement, or good practice to have an easement between both landowners so that we can both be good stewards of this, what, potentially large runoff across our property, Richmond Land Trust property, would?

Sunshine 1:07:15

I understand what you're saying and that's probably something you should get a legal opinion on. Not from me.

Preston 1:07:22

It's not something that by practice the DRB.

Sunshine 1:07:26

No. We can't control.

Preston 1:07:28

Ok.

Sunshine 1:07:29

I mean, we can ask for easements when there's shared driveways and that type of thing. Here, that's an agreement between two landowners.

B. Reap 1:07:39

Right now, if you stood on this property in a storm, like Brian said, everything from here goes down and hits the parking lot behind the shop and goes that way. It's, that's the way the grade was when we moved in. So it's not going anywhere where it wasn't going before.

Currier 1:07:54

Yeah, and the Richmond Land Trust property line is way over here, right? Alright. So, the stream is here, so it's already, you know, this is a wetland that was delineated here. So we're 15, 50 feet off that wetland off, that's the buffer right here in magenta. So the Richmond Land Trust already owns, you know, pretty much 50 feet on either side where that main tributary is. I guess I, maybe I don't fully understand.

Sunshine 1:08:27

I guess, I think if I'm understanding Wright correctly, he's asking, and that's really something, as I said, between the two of you, or between the landowners, whether that water that's going over the buffer zone into Donahue Brook, if, if an easement's needed.

B. Reap 1:08:50

And I'm saying it's been going there for as long as this property has been around, it's just.

Currier 1:08:55

Yeah, we're not hitting it and letting it out slowly, not, not my experience we haven't.

Preston 1:09:01

Okay. Okay, well, we're, we're new to this. This is.

Currier 1:09:03

Yes, no worries.

Preston 1:09:10

We would like the memo we wrote entered into the record.

Sunshine 1:09:14

So, I don't see it. Did you post that?

DeNault 1:09:17

It was just sent to me.

B. Reap 1:09:19

It was forwarded to me when I got in the door.

DeNault 1:09:20

Yeah, when I got in the door, so.

Sunshine 1:09:23

We have a, we, we supposedly have a 24-hour rule. And things ...

Preston 1:09:28

... this evening, I hadn't, we're again, we're new to this. We're trying to be ... good neighbors.

Sunshine 1:09:33

I understand that, but we have to treat you just like everybody else, and we ask that all evidence be

filed at least 24 hours in advance of a hearing. I mean, we don't have a chance to review that memo, so I'll leave it up to the Board as whether they feel that it's important that that memo be looked at before we make a decision.

B. Reap 1:10:01

I certainly would have liked to have seen it before I got here.

Preston 1:10:06

[undiscernible].

Sunshine 1:10:08

I understand.

Preston 1:10:12

Again, ... there is an impact on us, on the Richmond Land Trust, trying to be thoughtful neighbors. David, we support the project. We respect what the Reaps are proposing, but we, we need to keep an eye on our property as well. And we have an easement holder as well, the Vermont Housing and Conservation Board has a conservation easement on our property, and we need to be mindful of that easement as well. So we're trying to get up to speed here and be thoughtful neighbors.

Sunshine 1:10:52

Okay. Any other, I'm sorry. Are you guys wait, wait, are you guys done?

Elliott 1:10:58

Oh, yeah, just to clarify on the permitting, did I hear you say? So there's no new permit needed for this with the State? You're amending an earlier permit, you know, from a couple of years ago. So ... all stormwater.

Currier 1:11:20

Yeah, so we'll, hopefully site plan from the Town, but then a State stormwater discharge permit, so there's an operational permit, and then there's an erosion control permit where one trigger is greater than a greater than an acre of impervious on a lot that's already developed. So we're under that, we're over that threshold, well over it. So we'll be amending the existing stormwater permit on the property for this increase in impervious. And then we'll be obtaining an erosion control permit from a State as well as we're impacting more than acre.

Elliott 1:11:54

Good.

Currier 1:11:55

Yeah, it'll be two, two state permits.

Elliott 1:11:58

Again, new to this.

Currier 1:11:59

Yeah, no, no worries.

Elliott 1:12:01

Great. Well, thank you.

Currier 1:12:02

Yeah.

Sunshine 1:12:02

Any other questions? No? Rod?

West 1:12:09

Rod West, abutting landowner to the west.

And one I can say that storage units are a great neighbor. I don't have any problem with it at all in terms of the impact and all. I also had concerns about stormwater runoff, when the proposal came in that one of their ponds drains into the swale between our two properties. Think I met with Brian just before permitting last time. And, the, I think it's an 18 or 24 inch pipe that drains towards me; has very little discharge over the last year, and I look at it right out my kitchen window all the time. So the ponds on my side of really do a job of mitigating except in very heavy rainstorms when there might be a little bit of water coming out, and I had concerns because I have some downstream culverts that are limited, and oftentimes a 36-inch culvert that goes under the Interstate. I have a hard time draining that across the culverts on my property, so I was concerned about additions, but it was only like a couple of acres potential that we're draining compared to the 25 acres that were on the other side of the Interstate coming through. And so, I don't feel like I've had any impact at all. The significant impact with stormwater mitigation efforts that they have installed on my side, and I believe that my side drains probably quite a lot more water than your proposal for the other side. So, with a pond, I would expect that perhaps there won't be a rose and worry for starters.

Sunshine 1:14:13

Great. Thank you. Anything else? Yes, Chelsye?

C. Brooks 1:14:15

Chelsye Brooks, I just have a question regarding the wetland delineations that you said it was done. Did that, after it was completed, was the findings of that consistent with the VSWI that's like online there, or was it like less wetland found, more wetland found. I don't know if anybody can, knows that or speak to that?

Currier 1:14:46

I don't know what the VSWI mapping is here. Say typically that's less than what's actually there. Don't know. I'm not sure what the VSWI wetland looks like on the eastern side, but the wetland was delineated by Fitzgerald Environmental, we had delineated it previously for Bob's shop building. The wetlands had moved substantially with, with the flow from ...

B. Reap 1:15:12

The river.

Currier 1:15:13

... from the culvert upgrade, but that was done more than five years ago, so it was no longer valid. So before we started the project, Fitzgerald Environmental delineated this wetland, and we are keeping

more than 50 feet from it, so.

[VSWI wetland map for Applicant's lot displayed via share screen]

Yes, if that's it right there, is that it? I believe it's dark green probably right? The lighter greens an advisory. So, you know, where we are, it's pretty close I'd say, what VSWI says.

C. Brooks 1:15:55

Sorry, just to clarify, so you're saying that the VSWI is usually smaller and the delineation would have been larger.

Currier 1:16:03

A lot of times that's the case, yep.

C. Brooks 1:16:08

And I actually haven't walked over there, is the, I guess property owner would know this, is it pretty clear, like the wetland conditions? The reason I'm asking is simply because it looks like the delineation was done last year, was like a historic drought, but I presume, I, again, I don't know the area, is it just wet anyway, because of Donahue Brook, so the drought wouldn't have necessarily had a big impact on the delineation?

Currier 1:16:39

Yes, I, I am not, I'm not a wetland ecologist. So, that's why we hire Fitzgerald Environmental to do it. It appears to be, you know, adjacent to the stream, directly adjacent to the stream. But regardless of the conditions, when it's delineated, when it is delineated and accepted, the period is five years. The State gives you five years, even if it moves, it doesn't matter that, that's where the delineation is. They have to draw the line somewhere. Once those five years go by, then you have to get it relooked at it. So that's exactly what we did.

C. Brooks 1:17:11

Thanks.

Sunshine 1:17:13

Anything else? Anybody else? Okay, anything, any last comments from the applicants? What would the Board like to do? I think I have some questions, we, for discussion. I would like to go into deliberative session.

Monks 1:17:37

I would second that.

Sunshine 1:17:38

All in favor?

[collective, unanimous ayes from all five (5) DRB members].

So we've closed the hearing and we're going to go into deliberative session and try to respond. We have 45 days to do.

Monks 1:17:49

Let's take a break before our next one.

Dyer 1:17:51

Thank you.

Currier 1:17:52

Thank you.

Sunshine 1:17:53

Thank you guys.

DiPalma 1:17:54

Thank you very much.

Sunshine 1:17:55

We're going to take a short break.

Currier 1:18:02

Thank you Dante.

DeNault 1:18:10

You're welcome.

DiPalma 1:18:13

Dante are you off the record?

DeNault 1:18:15

We are still on. I can go off right now. Do you want me to stop recording? I'll just mute.

DiPalma 1:18:25

Yeah.

DeNault 1:18:25

Just mute?

DiPalma 1:18:26

Yeah.

Oborne 1:19:25

So at one point you're going to need to unmute.

DeNault 1:19:30

These guys are just having a side bar.

Oborne 1:19:33

Perfecto.

DeNault 1:21:47

All right, the Richmond DRB is back from their brief break.

Sunshine 1:21:53

And we're back on the record. And the next item is AP2026-01. It's an appeal by Chelsye and Trevor Brooke, Brooks, I'm sorry. Appellants challenge the issuance of a zoning permit, 2025-75 for violating the town's Zoning Regulations, particularly the High Density Residential Districts No Build Zone. So you've submitted your materials, Chelsye, and you don't necessarily need to repeat and go over everything you submitted. Why don't you tell us?

DeNault 1:22:36

Before we start David, I have to recuse myself for...

Sunshine 1:22:38

Oh, I'm sorry,

DeNault 1:22:39

... issuing the permit, so Keith will be driving this, this portion tonight.

Sunshine 1:22:44

Okay. And I forgot to ask anyways, does anybody have a conflict with this application?

[collective, unanimous no's from all five (5) DRB members.]

Okay. And Chelsye, I need to swear you in. Do you swear or affirm to tell the truth, all truth, and nothing but truth.

C. Brooks 1:23:02

I do.

Sunshine 1:23:03

Okay, well, will any, will Trevor?

Dyer 1:23:05

I think I saw him.

C. Brooks 1:23:07

He's online.

Sunshine 1:23:08

Is he going to testify?

C. Brooks 1:23:11

Hey may if there's something he wants to say.

Sunshine 1:23:13

Okay.

C. Brooks 1:23:14

The plan is that I'll sort of primarily represent us. But he may.

Sunshine 1:23:16

Trevor, are you? You swear or affirm to tell the truth, the whole truth, and nothing but truth? Wave your hand.

Dyer 1:23:27

He does.

Monks 1:23:28

He says, I do.

Dyer 1:23:28

In writing.

C. Brooks 1:23:31

Can't deny it.

Sunshine 1:23:34

Keith, do you have anything? Or do you want me to just move forward?

C. Brooks 1:23:40

He's silent.

Dyer 1:23:41

Can't hear ya.

Sunshine 1:23:42

I think you muted.

C. Brooks 1:23:44

It doesn't show he's muted.

Dyer 1:23:45

It might be your headphones that are muted.

Sunshine 1:23:53

And you're going to testify too, won't you? So do you swear or affirm to tell the truth, the whole truth, and nothing but truth?

DeNault 1:23:57

Yes, I do.

Sunshine 1:23:58

Great. Okay Chelsye, now that I've interrupted you, go forward please.

C. Brooks 1:24:04

So like you said, you've already sort of reviewed the materials. I guess I'll just brief synopsis for the record and those of us who perhaps didn't review everything. We're appealing the permit issuance, including the interpretation of the five foot no build zone, underground utilities within that zone, and determination the excavation, grading, and filling with homesite prep are not land development. So at its core, this appeal concerns whether the permit application actually demonstrates compliance with the zoning regulations. The amendment is described as being limited to five specific changes. However, the plan submitted with the application depicts significantly more development than those five changes, including expanded disturbance limits, defined clearing areas, excavation and grading, development along shared property boundaries for roughly 200 feet, and driveway dimensions that exceed what was originally permitted.

As a amended permit has to be limited in scope to the changes, the plans submitted with the amendment show additional development beyond those changes. It becomes unclear what the permit actually authorizes. In addition, the plans depict excavation and grading within the five foot no build zone, which the Zoning Regulations prohibit, where a driveway, prohibit, except where a driveway meets the public right away. The disturbance shown the plans occurs far beyond that location along the right of way. Because the plans depict development that doesn't demonstrate compliance with Zoning Regulations, and because the permit record is not clear, we respectfully request that the Board either reverse or deny the Zoning Permit unless a revised plan demonstrating compliance with the Zoning Regulations is submitted.

Sunshine 1:26:11

Great. Thank you. You probably can defend your permit, so let me swear you in as well. Do you swear, affirm to tell the truth, all truth, or nothing but the truth.

DeNault 1:26:22

Yes, I do.

Sunshine 1:26:23

Okay.

DeNault 1:26:24

So, so we were here a few months ago when the permit was vacated for a procedural defect. The Board made a recommendation to the Applicant to list the specific changes that were made in this permit. Those are, as, as has been listed in the permit, and as of I see it, the addition of four culverts, the removal of one culvert that was not installed, the addition of two small turnaround parking areas to alleviate some emergency services access. The fourth is a reduction in the overall length of the driveway, and the fifth was a narrowing the width of the driveway from the original plans. I do appreciate Chelsye and Trevor's point that the plans do, you know, there are more features depicted on it, but from the way I see it, the Applicant submitted this narrow amendment to a previously approved and unappealed driveway. And so, as I see it, those five features that the applicant listed are, are the entirety of this amended driveway permit.

Sunshine 1:27:36

Okay. Any questions from the Board? So, Jay, you're the Landowner. Do you have any, would you like to offer anything?

McCormack 1:27:52

Not at this time. I think Dante summarized it pretty well. It's, it's, it's a, it's a very simple amendment to the original driveway plan that was approved.

Sunshine 1:28:08

Not really offering anything. Okay, questions for the Board?

Dyer 1:28:20

Dante, he said the five things listed were the entirety of the permit.

DeNault 1:28:27

Yes, that.

Dyer 1:28:28

Can you rephrase that in a way that, I'm not totally sure what you mean.

DeNault 1:28:33

Yeah. So for, for amended permits, they're, they're limited in scope to the changes from the permit already issued. So when the Applicant applied for it, he listed those five specific changes. I see that, you know, I appreciate that there are, you know, limits of disturbance on that map, but I really don't think they're, I think they're more relics of other work that the Applicant is doing, or not relics, but they're more, it's more of a placeholder for work that they have done and plan to do. The way I see this amended permit is really limited to those changes that the Applicant applied for and ultimately got approved for.

Dyer 1:29:16

So you're saying that other things, wouldn't be.

DeNault 1:29:19

I would say they're beyond the scope of this amended driveway permit, correct. It's a very narrow, it's, it's just about the driveway. With, and that, yeah.

Sunshine 1:29:39

Let me come back to you, Chelsye. Any other thoughts from the Board, questions? Chelsye?

C. Brooks 1:29:51

So, I guess the scope of this is that these plans, as Dante just spoke to, include things that are different from the original permit. And those plans accompany this permit application. It's sort of a whole package. The permit application itself does not function separately from the plans. If you submit plans for something, or if you submit a permit application that says I'm going to do these five things, your plans should only be showing those five things. To then submit plans that show all sorts of different extra things, captures those things in the permit. These plans are approved. These plans are part of this permit record, regardless of what was written down as here's the changes. The plans include other things.

And the plans also are sort of described, it's described as being an as-built permit, which is additionally confusing, sort of, is this as-built? Is this capturing what's already done? The permit is described as 12 to 24 feet, like narrowing the width of the driveway. But the plans appear to be like, as-is site conditions, and they exceed 24 feet. And so it's unclear if, is this a request to narrow what's already

there, because, again, it's, it's referenced in the same sort of portion of the permit packet where there's a written note saying, like, this is the changes. It's described as an as-built amend, amended permit. So then, that's additionally unclear as to whether is this approved only at 12 to 24 feet, but the plans show a driveway that exceeds 24 feet for greater than 200 feet of length.

Parisi 1:32:14

So, the way I hear this is that there are all these other preexisting conditions that you included on the site plan because they were already there. And then you have these five new changes, the proposed changes. You had existing site conditions, and then proposed five changes. Is that correct?

Currier 1:32:36

Are you asking me or Dante?

DeNault 1:32:37

Yeah.

Parisi 1:32:38

Yeah, essentially you.

Currier 1:32:40

Yeah. So, the main purpose of the amendment is we are approved.

Sunshine 1:32:45

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

Currier 1:32:49

I do. So we, we're permitted for 24 foot wide driveway throughout. So that's the biggest change that I see, obviously the, what is constructed, and that's what we're showing here, is we're showing existing contours, existing gravel areas, existing culverts of what was constructed. There's five areas where, you know, the location of the culverts are somewhat different than what was proposed, which, during construction, is very common, but the width going from 24 feet throughout down to 24 feet closer to Jericho Road, and then it next, to the minimum width, you know, 12-14 feet past that section, going all the way up to the existing single family home that's there. You know ...

Parisi 1:33:41

Sure, absolutely.

Currier 1:33:42

... it's stuff similar that we're capturing. You know, it's what they want to call it an as-built drawing or proposed conditions, but...

Parisi 1:33:50

Right.

Currier 1:33:52

... it's this site as it exists today. Which I feel is substantially similar, or substantially in accordance to the driveway plan that was approved. But due to the, you know, extra scrutiny that this driveway has been getting over the past two years, we're making sure we are very careful and check all of our boxes

to make sure that there's no issues when it comes time to issue a CO for the driveway so.

Sunshine 1:34:26

Let me. Any other questions from the Board?

Monks 1:34:31

Not me.

[Indiscernible] 1:34:33

No.

Sunshine 1:34:32

Any questions for the public? Do you have anything you'd like to discuss? No. Anybody else got a question?

Bender 1:34:41

I got a question.

Sunshine 1:34:46

Who is it?

Dyer 1:34:45

That's Ian.

Oborne 1:34:46

It's Ian.

Sunshine 1:34:47

Oh, okay Ian.

Bender 1:34:49

Ian Bender. I'm just curious have you guys been up to this site recently to inspect it? Anybody on the Board?

Sunshine 1:34:58

I haven't.

Bender 1:34:59

Anyone on the Board?

Parisi 1:35:00

No.

Dyer 1:35:00

Not in a few months. I was last up there chasing my dogs a few months ago.

Bender 1:35:10

And when's the last time construction was being done on the driveway?

Sunshine 1:35:20

Any?

Currier 1:35:20

That's probably better for Jay to answer that question.

Sunshine 1:35:24

Jay, when was the last time construction was taking place on the driveway?

McCormack 1:35:31

That's a good question. I guess it was probably last, last summer, fall. We did, we did a little bit, as, you know, Dante knows, we did a little bit of adjustment, just to, you know, make sure that we, that we meet all the driveway requirements for the Town. So we had to rework a couple, couple, just a couple of small sections. That was the last time any construction happened. But that was, it was very minimal, just some, some light grading really.

Sunshine 1:36:07

Ok.

Bender 1:36:09

I think in a situation like this, where, where somebody's appealing one of your decisions, it's probably a good idea to visit the site, because I think sometimes seeing how a property is being disturbed in person could have a more meaningful impact on your decision than just by looking at what you see on the plan. That's all thanks.

Sunshine 1:36:47

Anything else from the public? No?

DeNault 1:36:53

Does Trevor have something?

C. Brooks 1:36:57

No his hand isn't raised.

Sunshine 1:36:59

Chelsye, do have anything else you'd like to submit?

Dyer 1:37:08

It says we asked Dante to use a violation for putting power in the no build zone, and he said he did not issue one.

DeNault 1:37:15

Correct.

C. Brooks 1:37:24

I guess what he's, he can correct me if I'm incorrect here, but I think what he's speaking to is that in

going to the Office to discuss this permit before the decision was made to file the appeal, we were trying to understand sort of why the plans were approved as, as is, because the plans don't show existing utilities which on the permit application, or, that's one of the things that says you must show. And so compliance with certain things in zoning, such as the no build zone or non-developable portions of a lot for existing utilities, and utility easements and things can't be even determined if the plans don't include the required things, such as the existing utilities. I guess that when I was raising my, changing, pivoting, from what he was saying, is that the original plans, as I said, were for the 24 feet. And down by the first, and the original plans also, again, the original driveway was not appealed. We completely understand that. The driveway itself and the fact that it exists, that's an unappealed permit, are the things that we're talking about today--weren't included in the scope of that original permit. The original permit didn't have defined limits of disturbance. They didn't have excavation or grading plans. There was no EPSC plan included. It was very like, very narrowly limited to the scope of, here's the driveway, here's where it's going to be, and it's not going to exceed 12% grade to sort of comply with that requirement. And when it was installed, and what's trying to be captured now, is that it was installed in excess of that 24 feet. It's nearly 34 feet down by my property, and so because it's installed in excess, that means, it's why it's a constrained parcel, the access to it, because they went bigger, things also got bigger. It dug into these, no, no-build zones, those, no build zone digging and excavation and development was not part of the original permit. It's not even shown in the original plans. On my side of the property, there's a forebay that's on the plans depicted in the no-build zone. Dante did address that with like a permit condition which, or a, conditional permit, which, I don't, that's confusing. In our Zoning Regs, I can't find anywhere where it states that the Zoning Administrator can issue a conditional permit. It's, it's clear that they have that. So if the plans don't comply with zoning, they don't get approved, rather than issuing a conditional permit, that, hey, fix this later, because then, we as the abutters, like I had no idea, like, we have no choice but to appeal it because it doesn't comply with zoning, and I have no guarantee that that's going to be fixed later. Do you see like, so, if the plans show things that don't comply with zoning, the plans should be amended to comply with zoning, and that's what we're here for today. If the plans show limits of disturbance up to the five foot no build zone, that should be narrowed, and the limits of disturbance should not include the five foot no build zone because they were never permitted to dig up to the property line. I don't know if Keith can show the plan, the original plans, or the new ones, or if you guys have already very thoroughly reviewed them, but the original plans don't have, you know, ditches and the forebays, and things like that. And on my side, the forebay is right there. On Earl Baker side of the property, so like, directly across from the forebay, the ditch is quite literally like on the property corner, like all the, the driveway goes so close there that that all of the stone work is right up to the property corner. That's not in the, that's in the five foot no build zone. That wasn't originally permitted. It wasn't on the original permit.

Sunshine 1:41:39

Yeah.

Currier 1:41:40

So Dante did bring the rip rap in the no build zone to our attention. That's, that was different from what was approved. So we went out, we staked out the property line, and we helped Jay move, you know, a half dozen four inch minus type rip rap, 18 inches, a foot, maybe. So that issue has already been addressed by, by Jay. I don't know if you've been out to verify it yet, Dante, but.

DeNault 1:42:10

I have.

Currier 1:42:11

That has been done already. So that condition doesn't need to be there.

DeNault 1:42:15

Yeah.

Sunshine 1:42:16

Dante, did you have a response?

DeNault 1:42:17

Yeah. And I think the mechanism, and Chelsye's correct, there, it is silent in the Zoning Regulations whether or not the Zoning Administrator definitively seems to have that power to issue conditions. That, this is the form that I've been, the form I've inherited, and the practices that I've, that I understand that this Office engages in. The mechanism that I understand to be the catch to the to the approval with conditions is the certificate of occupancy, which the Applicant will need for the driveway, and the house in this situation. So that has to comply with.

Sunshine 1:42:52

That hasn't been granted yet?

DeNault 1:42:55

Correct. That can't be granted until these appeals, ... have been resolved.

Sunshine 1:43:06

Anything else from the Board? Nope. Anything else from the public? From the applicant, the appellant?

C. Brooks 1:43:15

Yeah, I guess I would ask Dante, the forebay on our side was addressed, I think because we raised concerns. But, did, upon inspection, is there also work directly across from the forebay in the no build zone.

DeNault 1:43:38

I'm not certain. I haven't done the.

C. Brooks 1:43:41

I think you'll find that the plans illustrate it. And Mr. Currier, are those plans you said are on the ground as-built?

Currier 1:43:52

Yeah. So the.

Sunshine 1:43:55

Respond.

Currier 1:43:56

Yeah. So the, the location of the swale was approved in the original driveway permit. My

understanding is this amendment, you know, is only limited to a very narrow scope. The location of that swale within the no build zone is grandfathered, alright. Now, this plan shows rip rap on that swale that was necessary after the July event we had it, you know, a year ago. So, I don't believe rip rapping an existing approved swale in order to minimize erosion on our property that we're doing electively, obviously, you know, should be looked at as a negative. I think the location of the swale is grandfathered. We're merely armoring it due to the flooding events that hit Richmond very hard a year ago, or two years ago.

Sunshine 1:44:49

Okay. Anything else from anybody? What would the Board like to do?

Dyer 1:44:57

Trevor's got another comment.

Sunshine 1:44:58

Oh, I'm sorry.

Dyer 1:44:59

Can you show the legend on the original permit that shows how to identify the swales?

Sunshine 1:45:10

So I don't think the original permits what's in front of us?

Parisi 1:45:13

We're not looking at the original permit.

C. Brooks 1:45:16

I mean, okay, can I, I don't want to interrupt. Is it okay if I speak to, sort of supplement what he's saying? The reason I believe that he's bringing that up is, yes, we're not looking, like we're not contesting anything that was on the original permit. I guess the argument here is that these things weren't on the original permit, right? Because they are then are in the scope of the amendment. So while we are not speaking to the original permit in what is, was approved and cannot be contested. Things that are final. It's important to look at the original permit and take it in comparison and consideration to this one, because if something was not explicitly approved on the original permit, and it now is on these plans, then that is a change that is in the scope of this amendment. And then that change needs to comply with the Zoning Bylaws. The original permit, I don't, is Keith even with us anymore?

DeNault 1:46:14

I believe it's posted as an attachment.

Monks 1:46:16

Oh, can we take that as the comment? It doesn't seem like we need to do that investigation real time.

Sunshine 1:46:23

No I think that [indiscernible] been considered.

Monks 1:46:24

I think the point is taken.

C. Brooks 1:46:25

Right, sure, yep. So the, yeah, the, essentially the point is that the original permit doesn't have a legend. It doesn't say this is limits of disturbance. It doesn't say what's happening. I think I would like to just draw the Board's attention to sort of the disturbance along our property line and the excavation, because the driveway is wider than 24 feet there, and so that pushes it into that no build zone. Was never permitted or planned.

Oborne 1:47:07

Does the Board want me to put that up on the screen?

Monks 1:47:09

No.

Oborne 1:47:10

Okay.

Monks 1:47:12

Sorry, I didn't mean to speak for everyone else. I thought we were still working if it's, if it's that question there.

Dyer 1:47:16

Yeah, I, I have it here.

Monks 1:47:18

Yeah. I think we've heard the comment on it.

Sunshine 1:47:21

Yeah, I think we have. Okay, what would the Board like to do? We want to go into deliberative session?

Monks 1:47:28

I think we need to.

Dyer 1:47:29

Yes.

[Indiscernible] 1:47:30

Yes, second.

Sunshine 1:47:32

Okay.

Dyer 1:47:33

I move to do that.

Monks 1:47:34

Second.

Sunshine 1:47:34

All in favor?

[Collective, unanimous ayes from all five (5) DRB members.]

Okay, folks, thank you very much, and we'll go into the deliberative session and render a decision. Thank you.

Oborne 1:47:45

Now Dante I don't believe I can shut off the computer or anything at this point.

DeNault 1:47:50

Correct. I'm going to leave this running if the folks, if the Board in the room.

Sunshine 1:47:54

Okay, so what I would like to do is consider everything that Matt needs to be a part of. And then we can, let's do, let's do Matt's last, then he could sit here, and we'll do.

Monks 1:48:19

Do the appeal first?

Sunshine 1:48:20

Pardon?

Monks 1:48:21

We do the appeal first, and Dante can rejoin then.

Parisi 1:48:23

Yeah.

Sunshine 1:48:23

Yeah, let's do that.

Dyer 1:48:24

Yeah.

DeNault 1:48:24

I'll be.... And then Keith can... too.

Keith 1:48:27

Yep.

Monks 1:48:29

Let' do the appeal last, let's make Keith.

Oborne 1:48:30

Yeah, logistically, that's, the appeal should be done before the others, if possible.

Dyer 1:48:34

Ok.

Sunshine 1:48:36

You just want to go to sleep.

Oborne 1:48:39

That too.

Sunshine 1:48:42

Thank you all.

Monks 1:48:46

See you next time?

Oborne 1:48:50

So, we want to stop the recording?

Monks 1:48:50

Regular standing meeting here.

Currier 1:48:54

Yeah, ... there's a lot worse places to be.

DeNault 1:48:59

Keith can you do that or do you want me to do it from here?

Oborne 1:49:01

Yeah, I cannot do it for here. I don't have those credentials.

DeNault 1:49:04

Understood. I will stop the recording and leave the room.

Currier 1:49:07

Thanks Brian, have a good night.

Oborne 1:49:08

Perfect.

DeNault 1:49:11

Yeah, if everyone. It's just Keith in this chat. I'm going to pause the recording.

[DRB enters, then comes out of, deliberative session].

DeNault 1:49:21

We are back on the record.

Sunshine 1:49:23

Okay.

DiPalma 1:49:25

I'll make the motion.

Sunshine 1:49:27

I'd entertain a motion.

DiPalma 1:49:28

Make a motion to deny the Brooks appeal of the amended permit on the grounds that the amended permit deals with five items which are all consistent with the Town of Richmond's Zoning Regulations and therefore no basis for overturning the issuance of the amended permit. To the extent that there are any issues with the project, as constructed, in relation to the approvals given in the permit as amended, that matter can be taken up in connection with the issuance of the certificate of occupancy.

Sunshine 1:50:17

And, and you'll send that?

DiPalma 1:50:22

I'll do something about it.

Oborne 1:50:22

Yeah, we have it recorded so I can grab it.

Sunshine 1:50:25

Okay, all in favor of that motion?

[Ayes from four out of five DRB members—Sunshine, Monks, DiPalma, and Parisi—in favor for the motion to deny the appeal].

All against?

[Aye from one out of five DRB members—Dyer—against the motion to deny the appeal].

Okay, so it's four to one.

Dyer 1:50:34

Sorry.

DeNault 1:50:35

Its ok.

Sunshine 1:50:36

Great. Thank you, Keith.

Oborne 1:50:39

Yeah, no, no problem. Good job tonight guys. Talk to you.

Sunshine 1:50:43

Okay let's go off the record again.

DeNault 1:50:48

We are.

[DRB goes back into, then comes out of, deliberative session].

DeNault 1:50:50

We are, the DRB is back on the record.

Sunshine 1:50:53

So I'd entertain a motion on the application by Robert and Joy Reap.

DiPalma 1:51:00

Move to accept the application.

Dyer 1:51:03

Second.

Sunshine 1:51:04

All in favor?

[collective, unanimous ayes from all five (5) participating DRB members].

Sunshine 1:51:06

Great.

Parisi 1:51:07

Alright, good night guys.

DiPalma 1:51:10

See you Matt.

Sunshine 1:51:11

Matt, thanks for all your help today.

Parisi 1:51:12

Yeah.

DeNault 1:51:13

Do you have to go vote? Vote to go back, back in?

Monks 1:51:16

Yeah, move to go into deliberative session.

Dyer 1:51:20

I move to go into deliberative session.

Sunshine 1:51:21

That's the most we've been in and out. I can remember.

....

DeNault 1:51:26

Alright so I'm putting us into, we're going to deliberate session so we're.

[DRB goes into, then comes out of, deliberative session].

Alright the DRB is back on the record.

Sunshine 1:51:32

Okay. I would, what's before us is the application by Matt Parisi and I would entertain a motion to approve. I would entertain a motion.

Dyer 1:51:53

I would move to approve with the condition of a certification of the dry well, as built, by the engineer prior to a CO issuance. Sound right? Ish?

Sunshine 1:52:11

Yep.

Dyer 1:51:12

Ish.

DiPalma 1:52:14

So, do we want as-built drawings for the entire project or just for the drywell?

Dyer 1:52:20

Well, I think.

Sunshine 1:52:22

What do you require for a CO?

DeNault 1:52:26

The CO will capture the house, the ADU. It's not, it's not, it's not necessarily for the site. I mean, well, yeah.

Dyer 1:52:35

And the site is so flat and there's so little, there's not really any contours happening. It's really just the dry well.

Monks 1:52:43

I think, I thought the certification we're looking for that the dry wells have been constructed in conformance with the site plan. So it's not an as-built site plan, but its...

Dyer 1:52:51

Correct. It's of the specific.

Monks 1:52:53

... specific certification that the dry wells were constructed in conformance with the site plan as, as was discussed during the hearing.

DiPalma 1:53:00

So if that, if that's the motion, I'll second it.

Sunshine 1:53:04

All in favor?

[collective, unanimous ayes all from all four (4) participating DRB members, minus Matt Parisi, who formerly rescued himself on this application as the applicant].

All in favor of adjourning?

[collective, unanimous ayes from all four presiding DRB members].

end of video transcript

CHAT TRANSCRIPT

00:17:37. Jeff Olesky: Jeff Olesky - Catamount Consulting representative for Matt Parisi.

00:18:34. Trevor Brooks: Trevor Brooks, 1364 Jericho Road, Richmond.

00:34:01. Richmond Town Host: From Danielle and Bonnie Morin (send to me via email): We are concerned that this latest model does not include the runoff to the corresponding properties. How is it considering all runoff if it is not balancing the impact on neighboring properties? It does not feel small scale for us in the runoff and the potential impact if there is more water impacting our properties. We are concerned there is not a historical infrastructure in tact or now considered. If they are not willing to work with neighbors, and there is not framework to support their current proposal it is more concerning.

00:36:17. Richmond Town Host: Followup comment: Ground water is one of our greatest concerns. The dry well is full of crushed stone but does not allow full access to store water as a piece of land without a structure includes.

00:40:19. Richmond Town Host: We also include more parking considerations as a potential addition to the concerns.

00:42:24. Richmond Town Host: More from the Morins: If they are concerned about the current flow, why would we add more structures and barriers to additional water flow?

00:46:13. Richmond Town Host: Response from the Morins: He was the latest to build and knew the barriers when he built.

00:51:01. Richmond Town Host: Another reply from the Morins. We had 2 floods in 2 years back to back. I have video evidence of these events and it was 8 or more inches 4 inches is not accurate. 2 Years back to back is not a 25 year rain event.

01:25:38. Trevor Brooks: Read the memo out loud then.

01:39:09. Trevor Brooks: I do.

01:52:46. Trevor Brooks: We asked Dante to use a violation for putting power in the no build zone, and he said he did not issue one.

01:54:07. Trevor Brooks: We also asked for a violation for work along our property line and Dante to issue one for work on our property line. Dante said he felt that was close enough to the town road that the right of way to be exempt. Our concern is that now showing limits of disturbance up your property line that was not on the prior plan would retroactively permit that work.

02:00:39. Trevor Brooks: Can you show the legend on the original permit that shows how to identify the swales[?]

end of chat transcript