



Planning & Zoning Office
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APPLICATION: SUB2023-01

APPLICANT: Scott Strobe

REQUESTED ACTION: Subdivision Amendment

LOCATION: Dugway Road

EXISTING ZONING: Agricultural Residential District

PROJECT DESCRIPTION: Applicants are seeking to amend their approved subdivision. This amendment would apply to lot 21 and 22 of the Scott Strobe Subdivision. The amendment would create a 2-bedroom accessory dwelling and a principal dwelling of 3-bedrooms for lot 21. The amendment would also make changes to the lots building envelope. Lot 22 would have a 2-bedroom accessory dwelling and 7-bedroom principal dwelling with amended building envelope. The gravel road would also be upgraded to meet town specifications.

PARCEL HISTORY:

Approved subdivision application 00-165 November 1, 2000

Zoning permit for improving existing access road 2022-73 September 6, 2022

LIST OF SUBMISSIONS:

- a. SUB2023-01. A Cover Letter
- b. SUB2023-01. B Application Final Subdivisions
- c. SUB2023-01. C Project Narrative
- d. SUB2023-01. D Stormwater Narrative
- e. SUB2023-01. E Abutting Landowners
- f. SUB2023-01. F Subdivision Approval
- g. SUB2023-01. G VT Wetlands Approval
- h. SUB2023-01. H VT AAFM Preliminary Approval
- i. SUB2023-01. I USGS Location Map
- j. SUB2023-01. J Primary Agricultural Soils Plan
- k. SUB2023-01. K Natural Resources Maps
- l. SUB2023-01. L Project Plans

PROCEDURAL INFORMATION:

1. Application received 1/19/2023
2. Warning and agenda sent to Seven Days 1/20/2023
3. Hearing notice sent to applicant 1/23/2023
4. Abutters letter sent 1/23/2023

STAFF COMMENTS (In Bold):

1. Applicants are seeking to amend lot 21 & 22 of their approved subdivision
2. Application would amend the building envelope for lot 21, provide a 2-bedroom accessory dwelling unit, and reduce the principal dwelling from 4 to 3 bedrooms
3. Application would amend the building envelope for lot 22, amend the house from a 3 bedroom to a 7-bedroom house as well as provide a 2-bedroom accessory dwelling unit
4. Gravel drive will also be amended
5. Current approved driveway has a section that exceeds the maximum driveway grade of 12%
6. Amendment would redesign the driveway to bring it into compliance with the 12% grade requirement in the Richmond Zoning Regulations
7. Subdivision is located inside the Agricultural Residential zoning district and will be subject to Section 3.1 of the Zoning Regulations
8. Project will be subject to Section 4 of the Richmond Zoning Regulations
9. Per section 700 of the Richmond Subdivision regulations any amendment to an approved subdivision requires it to be resubmitted for final approval by the DRB
10. Final subdivisions are governed by Section 400 of the Richmond Subdivision regulations
11. Section 420.2 notes that the following needs to be included with a final subdivision plat
 1. Proposed SUBDIVISION name or identifying title, the name of the municipality, the name and address of the owner of record and of the SUBDIVIDER (if different), the name, registration number and seal of the registered land surveyor, the boundaries of the SUBDIVISION and its general location in relation to existing roads or other landmarks, scale, date, magnetic north, with true north declination and legend; **Site plan notes subdivision name as Scott Strode**
 2. Road names and lines, pedestrian ways, recreational trails, LOTS, reservations, easements and areas to be dedicated to public use, if any **Applicants driveway has been reclassified as Strode Farm Lane. The driveway name will need to be recorded in new final plat. Existing trails noted**
 3. The location, bearing and length of every road line, LOT line and boundary line. All locations should be tied to known reference points such as road intersections; **Noted on plan**
 4. The length of all straight lines, the deflection angles, radii, length of curves, tangent distances and bearings for each road; **Noted on Plan**
 5. All public open space for which offers of dedication are made by the SUBDIVIDER, and those spaces for which title is reserved by the SUBDIVIDER **None noted**
 6. LOTS within the SUBDIVISION numbered sequentially (any reserved land shall have the highest number). Below each LOT number, within the LOT boundaries, the following shall be listed: the acreage, new parcel ID number, and building envelope to contain all proposed primary structures. **Parcel Id for lots not noted on site plan. Will need to add to final plat**

7. The location of any zoning overlay district(s) applicable to the proposed SUBDIVISION; **Steep slopes noted on site plan. Wetland buffers also noted**
 8. Location of any existing or proposed easements on all LOTS; **Easements noted on site plans**
 9. Location of all of the improvements referred to in ARTICLE VI, landscaping, utility poles, and rough grading and other devices for draining the area within the SUBDIVISION; **Noted**
 10. Locations of proposed MONUMENTS at all right-of-way intersections and at all points of curvature (P.C.) and points of tangency (PT) on both sides of any road lines, and at any other critical points in the road lines as will enable a land surveyor to correctly stake out any LOT in the SUBDIVISION.;
 11. Names of all SUBDIVISIONS immediately adjacent and the names of ADJOINING PROPERTY OWNERS **Noted on site plans**
 12. Subdivision location map **Noted**
12. Section 420.3 notes the requirements for final subdivision plan
1. Location and envelope area of wastewater disposal system(s) including primary and any required replacement areas, and a letter from the wastewater disposal system designer stating that all such systems will be designed and constructed in conformance with all applicable state regulations and standards. **Location noted. Waste water system designs noted on site plan detail sheet**
 2. Location of and envelope area of all existing and proposed sources of potable water and wastewater system(s); **Noted**
 3. Location and design of all of the considerations and improvements referred to in Article V (Planning Standards) and Article VI (Required Improvements and Design Standards);
 4. Identification and methods of protection of natural features or site elements (i.e., streams, ponds, wetlands, flood plain, forest stands, established LARGE ANIMAL HABITAT, rock outcroppings, etc.); **Wetland buffers noted on site plan. Large Animal habitat noted**
 5. Typical cross sections and proposed grading of roadways;
 6. Designs of any bridges or culverts which may be required on the SUBDIVISION;
 7. A signed statement reciting:
 - a. The location, type and length of any proposed road or roads. All roads shall be designed to the specifications in SECTION 600 of these Subdivision Regulations; **Applicants have provided a detail sheet going over the proposed changes to the existing class 4 road to bring it into compliance with the Richmond max driveway grade of 12%**
 - b. The nature and extent of any recreational features, open spaces, parks, or playgrounds to be provided, if any, and whether or not and under what conditions they are intended to be dedicated to the Town.

8. Contours of finish grades at five (5) foot intervals if finished grade varies from existing grade by five (5) feet or more, except that contours at two (2) foot intervals shall be shown in areas where wastewater disposal systems are to be located;
9. At the discretion of the DRB, letters from the Chittenden East School District Superintendent, the Richmond Police Chief, the head of Richmond Rescue, and the Richmond Fire Chief indicating their assessment of the impact of the proposed SUBDIVISION on the provision of school, police, rescue or fire protection services, or letters from others on relevant issues;
10. A letter from a professional engineer retained by the SUBDIVIDER stating that all proposed public and private infrastructure is in compliance with these Subdivision Regulations and other standards established by the Town of Richmond such as ZONING REGULATIONS, Public Works Specifications or other standards; **Letter provided**
11. Any other documents required by the DRB as a result of SKETCH PLAN, PRELIMINARY SUBDIVISION, or FINAL SUBDIVISION review and these Subdivision Regulations. The DRB may vote to waive any of these application requirements in accordance with Section 704, if it finds that the information waived is not necessary to determine whether the FINAL SUBDIVISION plan is in conformance with the standards and requirements of these Subdivision Regulations and the ZONING REGULATIONS.
13. Project is located in the Agricultural and Residential district and is covered by Section 3.1 of the Richmond Zoning Regulations
14. Section 3.1.4 notes the setback requirements for the Agricultural Residential district
 - a. Front yard setback 55 feet from road centerline or 30 feet from front property boundary
 - b. Side yard setback is 20 feet for principal structures, 10 feet for accessory structures
 - c. Rear yard set back is 20 feet for principal structures, 10 feet for accessory structures
15. Section 3.1.1 notes building heights are capped at 35 feet **Heights of principle buildings not noted on site plans**
16. Applicants are proposing creation of two separate 2-bedroom Accessory Dwelling Units (ADU)
17. ADU's are allowed use under Section 3.1.1
18. ADU's are regulated by Section 5.9 of the Richmond Subdivision Regulations and with the following requirements
 - a. Either the single-family dwelling or the accessory dwelling must be occupied by the owner or by the owner's spouse, civil union partner, parents or legal children. In the event that the owner or relative is forced to leave the dwelling, or accessory dwelling, or dies, there shall be no change in status of the accessory dwelling for a period not to exceed twelve months at which time the familiar occupancy rule will be enforced.
 - b. The accessory dwelling must be at all times owned by the same party that owns the single-family dwelling.

- c. The accessory dwelling shall be an efficiency, one-bedroom, or two-bedroom apartment that is clearly subordinate to the single-family dwelling and has facilities and provisions for independent living, including sleeping, food preparation and sanitation. **Two bedroom ADUs noted on site plan**
 - d. The accessory dwelling shall not exceed 75% of the total habitable floor area of the single-family dwelling or up to 1,000 square feet, or whichever is less. In cases where the State Statutory minimum of 30% of the total habitable floor area of the single-family dwelling exceeds the Town maximum, the State minimum shall take precedence over the Town maximum. **Total square footage for the ADUs not noted on site plan**
 - e. The property shall have sufficient wastewater capacity. **Applicants' narrative notes that the waste water systems for both lots have been developed in accordance with applicable state standards to accommodate the ADUs and principal structures**
 - f. The accessory dwelling shall meet all applicable setback, coverage and parking requirements for the principal dwelling as specified in these Zoning Regulations. If the accessory dwelling is to be located in a nonconforming structure, it shall not increase the degree of nonconformance, except in accordance with Section 4.7
19. Project is subject to Section 4 of the Richmond Zoning Regulations
20. Section 4.1 notes that all vehicle access shall comply with the 2000 public work specifications
21. Section 4.4 notes that only one curb cut is allowed per property
22. Narrative indicates slopes greater than 20% on the property
23. Section 6.11 notes that any proposed construction on land with a slope of over 20% shall be required to submit engineering plans for adequate erosion control and safe construction methods as part of a complete application for the proposed use, activity or structure. An access must be provided which meets the Vermont Agency of Transportation's B-71 Standards and local requirements, and if conflicting, the stricter apply. **Silt fences and other features to control erosion noted on site plans. Slope boundary marked on site plan**
24. Site plan notes a subdivision containing 2 lots
25. Lots are serviced by class 4 road Strode farm Lane
26. Section 6.2 notes the following standards for driveways and their intersections with public Roads or Highways shall apply:
- a. Unless specifically approved by the DRB there shall be a maximum of one driveway per lot accessing a public Road or Highway. This provision shall not disallow a shared driveway between two or more lots, or dual driveways where one lane is marked for entering traffic and one lane for exiting traffic. **One driveway noted on site plan**
 - b. Driveways shall meet the following standards unless a different size is required by the DRB due to special circumstances: Residential - 12 feet minimum width, 36 feet maximum width; Commercial - 20 feet minimum width, 36 feet maximum width. **Applicants not in application materials that the driveway will conform to the above mentioned standards**
 - c. The DRB may require installation of acceleration and/or deceleration lanes on the adjacent public Road or Highway if it deems necessary.
 - d. Driveways shall be located more than 100 feet from signalized Road or Highway intersections (measured between the near edges of the driveway and intersection).

Greater distances may be required on Roads or Highways with high traffic volumes.

- e. The intersection of the driveway to the public or private road shall conform to the standards in the Public Works Specifications. The driveway shall meet the Vermont Agency of Transportation's B71 Standards for construction.
- f. For the length of the driveway, the driveway grade shall not exceed twelve (12) percent except that the last 200 feet from the foundation of the primary structure being served shall not exceed fifteen (15) percent. In measuring the compliance of a driveway, the maximum grade may not be exceeded along the driveway center-line. **Application materials note that drive will be upgraded to comply with the 12% grade requirement**

Action Items Before DRB Meeting

- 1. Before a zoning permit is issued applicants will provide building plans for the accessory dwelling's units noting that the square footage of the ADUs will be 75% of the habitable floor area of the principal dwellings or 1000 square feet whichever is less.**
- 2. Before a zoning permit is issued applicants will provide building plans for the noting that the building heights will not exceed 35 feet**