

Richmond Planning Commission  
REGULAR MEETING MINUTES FOR June 15, 2022

Members Present:	Virginia Clarke, Mark Fausel, Dan Mullen, Chris Cole, Lisa Miller,
Members Absent:	Chris Granda, Alison Anand, Joy Reap,
Others Present:	Ravi Venkataraman (Town Planner/Staff), Erin Wagg (MMCTV),

**1. Welcome and troubleshooting**

Virginia Clarke called the meeting to order at 7:09 pm.

**2. Review of the agenda and adjustments to the agenda**

Clarke reviewed the meeting agenda and asked the commission if members had any questions or suggestions for the meeting agenda. Dan Mullen noted recent posts on Front Porch Forum about speed limits on Cochran Road and Route 2, and asked if the commission has a role in determining speed limits. Ravi Venkataraman referred to the Traffic Calming Policy, which can be applied to Cochran Road, overviewed the three-step investigation process per the Traffic Calming Policy, and said that if residents had traffic issues they would like staff to investigate, they should reach out to Venkataraman, Town Manager Josh Arneson, Highway Foreman Pete Gosselin, or Police Chief Kyle Kapitanski.

Chris Cole reviewed the process for review speed limits on state highways (Route 2, Route 117), and the role of the state traffic committee. Cole said that a town has to vote on requesting a reduction of the speed limit on a state highway; that upon the town's request, the state conducts an engineering study; and that based on the crash data and existing vehicle travel speeds, the traffic committee may vote to lower the speed limits. Cole noted that if the data shows traffic traveling above the speed limit but no crashes occurring, then it is up to the municipality to enforce the speed limit.

**3. Public Comment for non-agenda items**

None

**4. Approval of Minutes**

No comments. The minutes were accepted into the record as written.

**5. Annual Reorganization Meeting – Election of Chair and Clerk**

Clarke noted that Venkataraman has said that he will continue taking the minutes, and that therefore the clerk would also serve as the vice chair of the commission. Clarke opened the floor for nominations.

Motion by Mark Fausel, seconded by Cole, to nominate Virginia Clarke as Chair of the Planning Commission. Voting: unanimous. Motion carried.

Motion by Clarke, seconded by Fausel, to nominate Cole as the clerk/vice chair. Voting: unanimous. Motion carried.

## **6. Discussion on Burlington International Airport zoning request**

Clarke overviewed the zoning amendment request from Burlington International Airport. Mullen asked about the regulatory trigger for the regulations. Clarke said that this regulation would apply to any development proposed within the parcels Burlington International Airport has identified, and noted that with the existing development and the 35-foot height restriction, it is highly unlikely for proposed development to have any impacts on the airspace. Clarke added that the map Burlington International Airport included in the meeting materials will be included in the appendix of the zoning regulations.

Cole noted that the proposed regulation is a request that an applicant files a particular Federal Aviation Administration form, not a requirement. Cole said that the FAA is a permitting agency, that the FAA may force the removal of structures without the rightful FAA permits, that filing the FAA form is advisable, and that obtaining the rightful FAA permits is the responsibility of the landowner.

Clarke reviewed the map Burlington International Airport provided. Clarke said that based on the map, this proposed zoning language may need to be in Williston's regulations. Venkataraman said that this proposed language is in Williston's zoning regulations already.

Clarke said that the proposed language is suggested to be added to the zoning districts section of the regulations, and that the goal is to put all the overlay district language in the zoning regulations with the rest of the zoning districts.

Clarke said that the commission must decide if it would like to hold a public hearing on the proposed amendment by itself, or with proposed zoning amendments it is working on currently.

Lisa Miller asked about the placement of temporary cranes, and whether temporary construction equipment would trigger this requirement. Clarke said she felt that a crane was not "a construction". Venkataraman said that the requirement is intended for fixed structures that are going to be higher than 35 feet. Miller asked if the zoning administrator had to make a determination on whether a landowner had to file a form. Clarke said that filing the form is the landowner's decision. Cole said that typically landowners do not know about the FAA requirement but construction companies would.

Motion by Cole, seconded by Miller, to approve the proposed zoning language and map as presented for a public hearing on July 20, 2022.

Discussion: Mark Fausel asked about the cost of the public notification process and whether the cost would be affected by combining public notices with other proposed zoning regulations the Planning Commission is working on. Venkataraman said that this zoning amendment would require a separate hearing notice, and that a hearing notice is usually \$50-\$65 in Seven Days.

Voting: unanimous. Motion carried.

## **7. Discussion on the Gateway District and Proposed Changes to Site Plan Review**

Clarke asked for comments from the Planning Commission on the draft documents. Miller noted the similarity between the clean versions for this meeting and the previous meeting. Clarke said that the changes were minor.

Fausel asked about the status of the definitions for inn, hotel and bed and breakfast uses. Clarke pointed to the proposed definitions from the previous meeting and asked for comments. Fausel said that he had suggested allowing larger lodging facilities, and acknowledged the definitions as proposed.

Mullen asked for clarification about the reference to security in regards to landscaping. Venkataraman pointed to the regulations allowing the DRB to require performance bonds to make sure that any infrastructure or landscaping is built or installed accordingly. Venkataraman said that typically for landscaping performance bonds the applicant provides the Town the cost of the landscaping in full, the Town holds it in escrow for a two-year period, and the Town pulls from the escrow account if the landscaping is dead or diseased within that two-year period. Mullen suggested putting in a cross reference to the regulations allowing the DRB to require performance bonds for landscaping. Clarke questioned whether performance bonds for landscaping should be required for all developments. Mullen said that the performance bond requirement may be onerous to single-family dwelling projects. Cole asked how often the Town has required performance bonds. Venkataraman said he was not sure, and that he expected it to be more of an unusual occurrence and only for larger projects. Venkataraman suggested specifying a landscaping cost threshold so that the requirement only applies to larger projects.

Cole asked about the front-yard setback landscaping requirement, and suggested removing a requirement for particular types of vegetation to allow for natural vegetation. Clarke said that the goal is to not allow for only grass, but for a mixture of trees and grass, and that natural vegetation includes the types of vegetation the proposed zoning specifies. Cole asked if natural vegetation would be in compliance with the proposed regulations. Venkataraman said he would. Clarke asked Cole if he would be ok with allowing grass. Cole said that he would be ok with allowing grass in the front-yard setback, and that he would not go into how the front yards would be vegetated so long as they are vegetated.

Fausel asked about allowing parking in front of the building considering the requirement for vegetation in the front-yard setback. Clarke said that one of the criteria for strip development is parking in front of the building, and that the commission would want to avoid that.

Miller asked about performance guarantees for appearance. Clarke pointed to the Conditional Use Review criteria and Site Plan Review regarding placing safeguards, and that most of the large projects will require DRB review. Miller asked if the commission should consider requiring the performance bond and having the DRB provide relief if necessary. Clarke said that for smaller projects, it doesn't seem like a performance bond is necessary. Cole said that he doesn't think the commission should impose standards for gardening, and the vegetated buffer requirement should suffice as it is in line with the rural character. Erin Wagg noted possible suspicious activities occurring in parking areas behind large, unmaintained vegetation and buildings, and asked if the language can limit how dense the vegetation can be. Clarke said that she doesn't expect that to be too much of a problem, considering that most businesses would install landscaping regardless.

Clarke asked about the proposed front-yard setback requirement. Fausel suggested clarifying the term

“right-of-way” in this context.

Fausel asked about requirements regarding sufficient water and wastewater capacity. Clarke said that a state wastewater permit is required for developments, and that lot sizes are based on on-site water/wastewater capability.

Fausel said he had concerns about lot coverage and lot dimensions requirement. Clarke said that the language regarding lot frontage and lot dimensions are in the current zoning regulations, and that the lot dimensions requirement is to promote regularity and developability of lots.

Fausel said he had concerns about regulating development according to private roadways and the setback requirement from private roadways, and asked if the setback applies to rights-of-way for utilities. Venkataraman said that rights-of-way is typically for roads, that the town regulates front-yard setbacks from private roads in order to establish and maintain a particular character of the built environment, and that he is unsure about the origin of the 15-foot front-yard setback requirement specifically but that the intent is to create a buffer between the structure and the roadway. Clarke said that the terms in the current zoning regulations is “lot line” not “right-of-way”, and said that the commission should be consistent with the terminology. Fausel said he was doubtful that any suggested zoning for increasing housing would stipulate a 15-foot setback from a private roadway.

Fausel suggested that the pitched roof requirement should apply within a particular setback and/or to buildings up to a particular size. Clarke said that past conversations included putting in place a setback requirement or a visibility from Route 2 requirement. Fausel asked what is in the current zoning regulations. Clarke reviewed the current zoning regulations. Fausel said that the current zoning regulations are strong enough. Venkataraman reviewed the current zoning regulations line by line, and said he was not sure what the intent of “multiple grouped buildings” is, and that he was not sure about the meanings of two of the lines. Fausel said he liked the intent of the building design standards, and the waiver allowance from the roof pitch requirement. Clarke said that she will look into the roof pitch requirement, and that the proposed regulations do not refer to “grouped buildings”.

Clarke said that she will clean up the proposed zoning to make sure the language can be carried out and is more oriented towards Route 2 for the next meeting. Clarke suggested commission members send comments to Venkataraman to guide discussion during the next meeting. Clarke said that the commission should review the proposed permitted uses, and the proposed uses to be exempt from Site Plan Review.

## **8. Discussion on the Village Residential/Commercial District (8:30 pm)**

Clarke asked the commission if members are ok with the proposed zoning map, and reviewed the proposed permitted and conditional uses, and the dimensional standards.

Mullen suggested removing the reference to “moderate density” in the purpose statement because it conveys subjectivity to an objective, specific standard for density in the proposed regulations. Mullen asked about allowances for bank uses. Clarke said that banks would be allowed under Conditional Use Review.

Cole noted that the proposed permitted uses are low impact uses. Cole asked Clarke to review the statutorily protected uses. Clarke said that group home, home occupation, and family child-care home uses must be allowed in districts that allow single-family dwelling uses.

Clarke asked about the multiple use building allowance, and the multifamily dwelling uses limit of eight units. Mullen suggested a typo edit regarding multifamily dwellings, and said that the limitation to eight units seems arbitrary. Cole said he would approve of removing the limitation.

### **9. Other Business, Correspondence, and Adjournment (9:00 pm)**

Cole asked for the timeframe for approving the Gateway and Village Residential/Commercial Districts. Clarke said that she hopes that the commission finalizes the draft regulations by the end of July.

Motion by Cole, seconded by Fausel, to adjourn the meeting. Voting: unanimous. Motion carried. The meeting adjourned at 9:00 pm.

Respectfully submitted by Ravi Venkataraman, Town Planner