

2.7.24 meeting minutes

Meeting conducted remotely

Members present: Alison Anand, Ian Bender, Virginia Clarke, Mark Fausel, Chris Granda, Joy Reap, Adam Wood

Members absent: *(none)*

Others present: Keith Osborne (Richmond Director of Planning and Zoning), Erin Wagg (MMCTV), Gary Bressor, Connie van Eegan, Lisa Miller, Tamara Smith

1. Welcome

Clarke opened the meeting at 7:02 PM and welcomed Planning Commission members and guests.

2. Review and adjust agenda

As there were no adjustments to the agenda, the meeting proceeded with the published agenda.

3. Public comment on non-agenda items

There was no public comment on non-agenda items.

4. Review of minutes of 1.17.24 meeting

As there were no additions or corrections to the minutes of the previous meeting they were accepted into the record as written.

5. Village Residential Neighborhoods, North and South (VRNS and VRNN) review drafts #19 to finalize remaining issues

Clarke opened the discussion about “setbacks” for these districts by reviewing some existing definitions in our current zoning regulations (RZR) that seem to be ambiguous as to whether parking areas (and driveways) are considered structures or not, and whether parking areas and driveways are included in setbacks or not. She suggested that we clear this up as part of our current discussion, and proposed that we reserve the word “structure” for buildings, signs, walls and fences, above ground tanks and in-ground or above-ground swimming pools. The term “on-ground improvements” would then be used for parking areas, driveways, sidewalks, walkways and any other impervious surfaces on the ground, as well as partially impervious surfaces such as “green infrastructure.” These “on-ground improvements” would not be structures. There were no comments about these proposed definitions. The discussion then turned to whether or not driveways and parking areas should or should not be included within setbacks.

Gary Bressor offered that setbacks have not traditionally included driveways, and that our new smaller lots would not have enough space to accommodate this standard and still provide access to a backyard. Clarke confirmed that our Zoning Administrative Officers (ZAOs) have not applied setbacks to driveways even if they are used to park vehicles. She also mentioned that in the High Density Residential District (HDR) there is a requirement for a “no build zone” – a 5 ft strip along any property line where no improvements, including driveways, can be put. This occurs in no other district, and it’s not clear how it is different from a setback. Granda wondered if the current language differentiates parking areas from driveways, and thought that to do this this might be a solution. Bressor mentioned that two neighboring driveways were often directly adjacent to each other, and it might not make sense to separate the two.

Bender mentioned that he had experienced driveways right up against neighboring dwellings, which didn’t seem safe, but it was brought up that if we have 10 ft setbacks for buildings that shouldn’t be a problem here. Wood added that he also, like Bressor, had driven around observing current

neighborhoods which mostly seemed to have driveways right on the property line or within a couple of feet. He feels that this hasn't been an issue, and that it would be out of character to make a new standard that was much different from what currently exists in these neighborhoods. He thought a "no build zone" would be unnecessary and reduce the size of small lots even further. Bender felt we should consider safety as we increase residential density. Clarke said she had looked at several nearby towns' zoning regulations and they mostly did not include driveways and parking areas within setbacks.

Fausel suggested having a 2 ft setback for driveways and parking areas, and a bigger setback for buildings. Bressor thought 2 ft might be okay for a driveway setback. Wood felt that most of the existing lots wouldn't meet this standard, so why hold new construction to it? He was persuaded, however, by further points in the discussion about the need for a little space for driveway maintenance, to accept the idea of a 2 ft driveway setback.

Bressor continued that he feels that setbacks should be the same in both the VRNN and the VRNS, and be the same for all sides of the lot, and that 10 or 12 ft from the property line to the nearest building seems like a good distance. He also thinks all structures (i.e. buildings) should be treated to the same setback. Fausel suggested that a 12 ft setback would take up a lot of space on a small lot, and that putting up a small shed should have a smaller setback than that of the primary structure on the lot, especially in the case of side and rear setbacks. Bressor felt that a 5 ft setback would be too small for maintaining a building, and Osborne agreed that 5 ft doesn't take into consideration roof overhangs, which may be 2 ft, and stormwater management. Wood felt that maybe small sheds should be given an exception, but that all other structures should have the 10 ft setback. The discussion continued with ways the line could be drawn between larger and smaller structures. Reap added that she also appreciates the simplicity of having a single setback distance for all structures from the point of view of developing a site plan. She also feels that a number of existing lots in the VRNN have structures and driveways that are very close to each other, and that allowing this would help facilitate more housing.

Reap also questioned the term "green infrastructure," which Clarke explained is not about including plants and landscaping into lot coverage or setbacks, but rather is about managing stormwater on-site using natural methods to reduce impervious surfaces. This concept is also called "low impact development" (and is mentioned in the Town Plan as a goal). Clarke added that the theory is that you would get partial credit towards your lot coverage if you reduced your impervious surfaces by using "green infrastructure," but that this idea has not been fully fleshed out in our regulations yet. Managing stormwater is obviously a concern, and likely will become more so in the future. Wood felt we should not be sacrificing lot size entirely for stormwater management. Bressor felt we should also consider the height of structures, if we are going to allow them close to the property line.

A short discussion about whether to combine the VRNN and the VRNS into a single district then ensued, with no strong opinions expressed for the moment that would alter the current two-district strategy. Turning to lot coverage, Fausel said he wanted to be wary of increasing the lot coverage by too much because of the need to manage stormwater and run-off within lots. Anand agreed with this. Bressor said he had done some visualizing, and found that 40% seemed to be the minimum amount of lot coverage that would allow development on small lots. Wood agreed with that math, and thought that 50% would be ok also. The remainder of the VRNs discussion was tabled until the next meeting, and Clarke then moved on to agenda item #7.

7. Buttermilk

Clarke opened the discussion by reviewing the fact that the PC has agreed that removing the commercial requirement for the Creamery's building 2 makes sense, and so the next question is do we want to raise the residential density allowance, and do we want to combine that with requirements as to what type of units those dwelling units should be. Granda favored senior, or ageing-in-place, units, and also felt we should make sure the conditions placed on building 1 are fulfilled. Clarke mentioned that the Richmond Community Kitchen will need parking behind their building when the Bridge St sidewalk project is built, and she also wondered if setting a minimum size limit on the units, for example 400 sq ft, was something we wanted to consider or not. Granda felt that this would reduce the number of units. Reap felt that she would support more units.

Bressor then suggested that the PC should pursue a different strategy, in which Buttermilk would sell a portion of their land to a developer of affordable or senior housing who would manage that housing, and we would not put any additional requirements on Buttermilk for the units in building 2, which could then be increased. Granda liked this strategy, and suggested that we talk to an affordable housing agency to see if they would have an interest in pursuing this. Anand also supported this idea. Fausel stated that a main concern of his was that Buttermilk should provide enough parking, so that their tenants would not utilize the downtown public parking as the tenants on the upper Bridge St block do. He also mentioned that some of Buttermilk's parking was on railroad land, and he wondered what type of agreement they had there. Bender agreed with the previous comments, but also added that Buttermilk paid property taxes, and that they would be increasing that amount with building 2, so one thing Richmond was gaining from the project would be additional needed revenue.

So Clarke asked the commission if they wanted a subset of commissioners to work up a conversation and questions to be presented to an affordable housing agency. Granda said he'd like to be part of that group. Lisa Miller liked that idea. Osborne interjected that the correct way to go about this would be to ask the property owner first if they were interested in this idea, before spending time seeking out an affordable housing agency. Granda disagreed, saying that he thinks this proposal is worth exploring first and then presenting to Buttermilk. Clarke continued that Buttermilk has already told us that they are not interested in either developing affordable housing or selling any part of the property. Wood said that he understood that Buttermilk wished to promote their own interest, which is as it should be, but that we should also promote our interest and come up with a proposal that is ideal for us, with information obtained from the housing agency discussion. The negotiation would be around the area of land to be given up in conjunction with the number of dwelling units that would be needed for a feasible project. Clarke also wondered if Buttermilk would still be interested in commercial buildings 3 and 4 as they have planned, when the commercial landscape is daunting. Wood said he would be much more willing to negotiate for Buttermilk's demands if they were willing to give up land for true affordable housing. Granda and Wood both emphasized that Buttermilk was completely within their rights to promote their own interests, and they felt this approach allowed Richmond to be doing the same. Clarke added that it was already a huge plus for Richmond that Buttermilk had taken on the project and remediated the brownfield. There was no disagreement with this statement.

7. Other business

There was a positive response to the short statement that Clarke had prepared describing the strategies the PC was pursuing to respond to the housing crisis, and the PC agreed that she could release the statement to the public. There was a mixed response, however, to the question of whether the PC should oppose the development of affordable housing on the Browns Court Ballfield, with some commissioners (Fausel, Bender, Reap) agreeing with Clarke that this parcel was more suitable for its current recreational and open space use, and some commissioners (Granda, Anand) feeling that more

information and assessment should be obtained on the idea. Wood stated that he didn't think putting housing there was a great idea, but he thinks that looking into the idea further will drive the needed housing conversation with Richmond residents. Fausel stated that he, as a member of the Recreation Committee, had been attending meetings of the Three Parks Committee, which had been working hard to plan for recreational options at Browns Court, and he hoped that the PC would discuss other options for affordable housing so folks knew they existed. Clarke said the commission would hold off on an official position on Browns Court for the moment, but she agreed that Fausel could make a presentation at the PC's 2/21 meeting about the Three Parks Committee's proposals, and that a PC position might be reconsidered at that meeting. She said that the other items under "other business" would be addressed at the next PC meeting.

Granda moved to adjourn at 9:06 PM, with Anand seconding. As there was no opposition to the motion, the meeting was adjourned.

Minutes submitted by Virginia Clarke