

5.7.25 PC meeting minutes

This meeting was entirely remote via Zoom.

Members present: Alison Anand, Ian Bender, Virginia Clarke, Mark Fausel, Chris Granda

Members absent: Rebecca Connell, Bryton Moeller

Others present: Keith Osborne (Director of Planning and Zoning), Tom Astle (MMCTV)

1. Welcome

Clarke opened the meeting at 7:05 pm and welcomed members and others.

2. Review agenda

As there were no alterations, the meeting proceeded with the posted agenda.

3. Public comment on non-agenda items

There was none.

4. Review minutes of 4.16.25 meeting.

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

5. Review Selectboard hearing of 5.5.25 on Jolina Court and associated amendments

Clarke opened the review by acknowledging that, besides herself, Bender, Fausel and Granda were also present at the meeting, and so were already aware that the Selectboard(SB) had declined to approve our proposals as written. The SB accepted the testimony from Josi Kytte and Brendan O'Reilly that they were losing a lot of money because of the commercial requirement for building 1, and so the SB's immediate requirement of the PC was to alter the zoning such that the ground floor of that portion of building 1 furthest from Bridge St be allowed to contain residential units. This is "step one" of the continued public hearing, with "step two" to be discussed at the SB's 6.2.25 meeting when the PC will present the alteration of Section 5.12 to allow for this ground floor residential.

Clarke continued: "step two" will relate to the density issue, and the SB indicated that they will require a density increase, but they were unclear about whether they favored a straight up base density increase, or an increase that included the "residential density bonus program" proposal. Clarke said she hoped for more specificity at the 6.2.25 meeting. Then there will also likely be a "step three" which will consider an alternate traffic pattern to alleviate potential congestion resulting from increased residential density in the development. One suggestion was to use the land from the FEMA buyout properties near the river to create an additional ingress or egress from the development, but there are many questions about this idea that will have to be looked at. Another issue Clarke mentioned, was Buttermilk's desire for Richmond to opt-in to Tier 1B, as they will not be commencing

construction within the timeframe of Interim 1B (by 7.1.27) and so would like to utilize 1B if possible, and Clarke said the PC should therefore be thinking about the opt-in question.

Granda said he felt the SB absorbed a lot of the thinking and perspectives of the PC's proposals, but agreed that they also provided clear instruction requiring us to allow residential use in the ground floor of building 1 for all but the unit directly abutting Bridge St. Clarke said she and Osborne would provide exact wording for our next meeting on 5.21.25 for us to approve, and that this action would be adequately warned. Osborne said he would communicate this zoning change to the owner of the Richmond Community Kitchen, as it will affect the whole JC Zoning District. Osborne also agreed with Granda that the SB didn't push back on the PC's general ideas, but wanted to take time to further consider and apply their own perspective, especially to the density issue. He added that our traditional height restriction was another idea that interested the SB that we should look into, as well as the question of using the FEMA buyout properties for an alternate access road. This idea will depend on FEMA rules, and also on the natural resource restrictions such as endangered species in the path of the proposed road. He clarified that the road would be a DRB issue, but it has relevance to the density issue. Clarke said the PC should be ready for a substantive discussion on the density issue at our 6.4.25 meeting, as we already know that we will not have a quorum for our 6.18.25 meeting. Osborne put in a plug for the including the density bonus program in whatever density decision we make, with 24 units per developable acre being the ultimate goal to match the Village Downtown density.

There was further discussion about the applicability of the "Affordable Housing Development" state statute, and the fact that Tier 1B only applies to buildings with a maximum of 50 units, so Buttermilk may not end up fitting into this category depending on the amount of extra density we allow. Points were made about the current excessive cost of building anything, and also about the fact that the developable part of the Buttermilk property is out of the floodplain, even though the undevelopable portion is in the floodplain, so there is no flooding issue with the buildings. In addition, it was clarified that Buttermilk would also need to go to the DRB and possibly to Act 250 after this proposed 5.12 change is approved in order to put in the residential units into building 1.

Bender said he felt the SB was not truly considering the impact of a large increase in density at the Creamery, but was just reacting to the pro-housing voices at the hearing. Granda added that he felt that the constituency that would resist a large-scale change is still out there, but wasn't at the hearing. Osborne added that technically the hearing was left open, so more testimony could be taken. Clarke suggested that maybe we should publicize this debate more to generate a variety of voices at either the PC or the SB hearings. Osborne then shared a map of building 1 showing the Bridge- St- facing unit of 900 sf that will remain commercial, and said he would be having a site visit to the building on 6.8.25. Clarke reminded the PC to be thinking about the density issue for our meetings on 5.21.25 and 6.4.25, and be ready to sign off on building 1 residential as requested.

6. Update from the Town Plan 2026 Steering Committee

Bender, a member of this committee, gave the following report:

- A new timeline has been created – this will be on the webpage that is being created
- There will be a link to a survey and all the documents that are under review also on the webpage
- The survey is currently under construction
- Clarke and Chelsye Brooks have written letters that will be sent out recruiting information from committees and individuals
- Other committee members have been reviewing the narratives of each section
- The charette has been set for July 10 and 12 – there will also be a tabling event at the 4th of July
- There will be tabling at the Farmers Market – also members have signed up to write Front Porch Forum posts weekly
- The banner is being updated- and a flyer/handout is being created
- There will be a rough draft by the end of June
- Requirements from CCRPC are being reviewed
- A list of contact emails is being created
- Things seem to be going along ok with this committee

7. Introduction to work on the Village Commercial Zoning District

Clarke opened the discussion with the issue of whether or not residential uses should be allowed in this district, which determines whether or not the requirements of Act 47/181 kick in. She said that in previous conversations Dan Noyes, owner of the hardware business and grocery store building, had expressed a feeling that residential uses were a detriment to commercial uses, but Clarke thought that this discussion should be updated. She also mentioned the issue of whether the Round Church Corners Complex (RCCC), currently in the Commercial Zoning District, should be reassigned to the Village Commercial District. Conversations with Heidi Bormann, co-owner of Mann and Machine and the Stone Corral building has also expressed the idea that residential uses would not go well in the RCCC. Bender wondered why this was, and Granda replied that he thought it was an expression of a traditional view of potential conflict between commercial and residential uses that are close together. He added that, of course, no one would be forced to make any changes from the ways things are, and that adding residential uses might actually be seen as a diversifying business opportunity in the future. Bender agreed that there are pros and cons of residences in commercial areas.

There was further discussion about the need to be able to adapt to changing conditions, while still retaining the things we value, such as having a vibrant and dynamic downtown with local businesses and restaurants, and not just becoming a bedroom community. Clarke mentioned that this was going to be the challenge of rewriting the economic development section of the new town plan. Anand added that she liked the idea of having homes and businesses close together, and of having the more intimate atmosphere of a small town.

Fausel concluded the discussion by reiterating that the strategy should be to get the major stakeholders of these commercial districts to come in for a discussion about residential uses in the districts. Fausel also suggested inviting the folks from the Jonesville and Exit 11 Commercial Districts to see how they felt about these issues as well, and then moving on to talk about housing in the Agricultural/Residential District, especially in those areas that are near the village center. He also recommended further discussion about altering the height limitation to allow taller buildings to be built, thus avoiding bigger footprints as buildable land in or near the village is scarce. He suggested that the Jolina Court district might be a place to start considering taller buildings. He said he was still concerned about the traffic from increased density at the Creamery, and thought we should look further into the idea of a road through the FEMA buyout parcels. Osborne said he would be researching this idea thoroughly.

Clarke mentioned that, in conjunction with discovering whether the commercial stakeholders want to allow residential uses, we should clarify the language of the PUD section in which it is unclear whether residential PUD's are allowed in the commercial districts or not. She said we should also be considering the impact of the floodplain on the Railroad St area, and thinking about the new maps that FEMA is currently working on. We'll be looking for a timeline for the completion of those maps.

8. Other business and updates

Osborne reported that Zoning Administrator Tyler Machia had taken a new job and would be finishing up in Richmond on May 14th, with Osborne taking over the ZA role and staffing the DRB until a new hire can be made. He said his time may be overly full for the next few months, as he is also the support staff for the Town Plan Steering Committee which is currently operating on a compressed timeline. A second item for the PC to consider is the Tier 1B question. Fausel said he thought we had agreed to recommend not opting in because we don't have the in-house capability to do a good job of vetting bigger developments. There was further discussion on the pros and cons of the Tier 1B issue, and Clarke agreed that she and Osborne would revisit the letter recommending not opting in and bring it to the PC to review, as well as bringing maps so we could review the CCRPC's proposed Future Land Use (FLU) map and compare it to Richmond's Town Plan 2018 FLU map.

9 Adjourn

As there was no further discussion, Granda made a motion to adjourn, seconded by Bender. There were no objections, so the meeting was adjourned at 8:45 pm.

Minutes submitted by Virginia Clarke