

3.18.26 meeting minutes

This meeting was held remotely.

Members present: Alison Anand, Ian Bender, Chelsye Brooks, Virginia Clarke, Mark Fausel

Members absent: none (2 vacancies)

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

1. Welcome

Clarke welcomed members and guests and opened the meeting at 7:04 pm.

2. Review agenda and public comment on non-agenda items

There were no changes to the agenda, so the meeting proceeded with the posted agenda.

There was no public comment on non-agenda items.

3. Review minutes of 3.4.26 meeting.

As there were no changes to the minutes, they were accepted into the record as written.

4. Discuss early draft of new RZR section 6.16 “Stormwater and Erosion Control” and its connection to section 5.5 “Site Plan”

Here is a summary from AI.

The Richmond Planning Commission meeting on March 18, 2026, focused on the early draft of stormwater erosion regulations. Key points included the need for site plans to address stormwater and erosion control, with minor plans for administrative review and major plans for DRB review. The regulations cover projects disturbing 200 square feet to one acre, with larger projects requiring state permits. Specific requirements include minimizing land disturbance, preserving natural areas, and identifying significant natural features. The discussion emphasized the importance of clear, practical guidelines to ensure effective stormwater management and public engagement. The meeting focused on refining site plan requirements. Major site plans must be prepared by professionals and include detailed information on land use, impervious surfaces, stormwater management, and landscaping. Minor site plans, while less detailed, should still clearly indicate stormwater management measures. Concerns were raised about the clarity and enforceability of these plans, particularly regarding stormwater management and erosion prevention. The group discussed the balance between specificity and flexibility in regulations, emphasizing the need for clear guidelines to protect Richmond's unique landscapes. Future meetings may include in-person and remote participation to ensure broad public engagement.

Action Items

- [] Clarke said she would ask her contacts at the Huntington Planning Commission how they handled public pushback about using strong "shall" language in their stormwater and erosion control regulations and whether applicants comply with

those provisions. The draft presented tonight used some language from the Huntington regulations.

- [] Brooks questioned the the origin and purpose of the "no soil compaction" construction-stage standard and said she would investigate whether it should remain in the draft regulation or be marked as flagged/under review.
- [] Commissioners agreed that the early draft should be revised so that regulatory requirements ("shall" items) are clearly separated from guidance and options ("should" items), including reorganizing related content for better clarity.
- [] Clarke suggested planning upcoming Planning Commission meetings so that the April sessions focus on further drafting and refinement of the stormwater and erosion control, and then target a potential in-person session in May once the draft is more complete. This meeting may garner public comment.
- [] Clarke and Osborne agreed that town zoning permit forms add explicit language requiring applicants to refer to Section 5.5 (site plans) and Section 6.16 (stormwater and erosion controls) when submitting applications.
- [] Osborne plans to purchase a large-format laminator for the zoning office to enable high-quality laminating of documents and permits.

Outline

Review of Stormwater and Erosion Prevention Draft

Clarke discusses the following features of the draft:

- the importance of the stormwater management system and the need for developers to plan for heavier rainfall due to climate change.
- The current stormwater management system is not as comprehensive as those in larger towns, requiring more from developers to make up for a less robust town system.
- The site plan review section needs to be amended to include stormwater and erosion control plans at the beginning of applications.
- The draft regulations are early and are being compared to other towns' regulations to ensure completeness without being overly burdensome.
- The document is titled "Stormwater and Erosion Control" and is proposed to be installed as Section 6.16 of the zoning regulations.
- The purpose of the regulation is to address increased rainfall and higher housing density, with two main goals: erosion prevention and sediment control, and stormwater management.
- The applicability section covers all development in all districts, with specific requirements for projects disturbing between 200 square feet and one acre of land.
- Projects disturbing more than one acre of land must also meet state stormwater discharge permit requirements and have a professionally prepared plan, as well as meeting municipal requirements.

Project Stages and Requirements

- The project stages include pre-construction, construction, and post-construction phases, each with specific requirements and standards.

- Pre-construction requirements include making a site plan, contacting the Agency of Natural Resources, locating underground utilities, and providing the construction site personnel with a copy of the plan.
- The construction phase focuses on erosion prevention, while the post-construction phase deals with long-term stormwater management.
- The document outlines the need for minor and major site plans, with minor plans being simpler and major plans requiring professional preparation and DRB review.

Debate on Land Disturbance and Minimization Standards

- Fausel raises concerns about the town dictating how much land can be cleared, arguing that it infringes on property rights. Discussion regarding the difference between “land clearing” and “land disturbance” ensued.
- Brooks suggests that the standard should be proportional to the project, with larger projects requiring more detailed plans and DRB review.
- Clarke and Osborne emphasize the importance of minimizing land disturbance and ensuring compliance with best management practices to achieve the goals.
- The discussion highlights the need for clear language to avoid subjective interpretations and ensure fair application of the regulations.
- Bender reminds the commission to try not to dictate too many rules
- Brooks agrees that we should minimize “shalls” and keep it to only what is essentially required, using “should” for guidelines otherwise

Site Plan Requirements and Guidelines

- The site plan must include the name of the applicant, parcel owner, extent of land disturbance, and clearing limits.
- Proposed structures and impervious surfaces must be shown, along with setbacks from property lines and roads.
- Information from the parcel deed, such as easements and boundaries, must be included, as well as dig safe review and the location of known utility lines.
- The document suggests that additional natural resource information can be found through the permit navigator and ANR Atlas, with a focus on preserving significant natural features. Brooks suggests that just the ANR Atlas is needed for this, not the Permit Navigator.

Final Comments and Adjustments

- Brooks suggests clarifying the language to ensure applicants understand the importance of including known natural features on the site plan.
- Guest John Linn points out practical considerations with the timeline of the Dig Safe permit process, and suggests that applicants should only need to show the location of utilities known to them on the site plan, with Dig Safe confirmation in place before digging.
- The discussion concludes with a focus on ensuring the regulations are clear, practical, and enforceable, while balancing the need for comprehensive stormwater management with minimizing burdens on applicants.

Major and Minor Site Plan Requirements

- Clarke explains that major site plans must be prepared by professionals and include specific details such as the names and addresses of all abutters, documented easements, rights of way, utility lines, and surveyed boundaries.
- Major site plans also require detailed information on land use areas, impervious surfaces, driveways, curb cuts, parking and loading, traffic, pedestrian walkways, outside storage, display areas, waste storage, sewage, outdoor lighting, grading, landscaping, existing and proposed vegetation, stormwater management features, high priority natural areas, and any other information needed for a full assessment of the project site.
- Brooks asks if the minor site plan requirements are significantly different from the current permit application process, and Osborne confirms that while the requirements are spelled out in the proposed regulation, they are not drastically different from the current internal policies.
- Brooks suggests that the stormwater management section should be more clearly outlined on the site plans to ensure proper enforcement and compliance.

Stormwater Management and Enforcement

- Brooks emphasizes the importance of including stormwater management measures on site plans to ensure proper enforcement and compliance.
- Clarke and Osborne discuss the need for detailed stormwater management practices to be included on site plans, as well as erosion and sedimentation control measures.
- Osborne mentions that erosion and sedimentation control practices are already required to be placed on plans before any land clearance, and that stakeout inspections are an internal policy but should be clearly spelled out.
- Clarke suggests that the stormwater section requirements should be more clearly spelled out on the site plan to avoid any enforcement gaps.

Balancing Detail and Flexibility in Site Plans

- Anand expresses concern about the balance between being specific in site plan requirements and avoiding ambiguity that could lead to invasions of Richmond's unique landscapes.
- Clarke acknowledges the need to find a balance between providing clear guidelines and allowing flexibility in meeting standards.
- Brooks points out a specific issue with a pre-construction standard that prohibits soil compaction, which is not typically a concern in erosion prevention.
- Clarke and Osborne agree to review and clarify this standard to ensure it aligns with best practices.

5 and 6. Other business and adjourn

As there was no other business, Bender motioned to adjourn, with Anand seconding. Clarke adjourned the meeting at 9:05 pm. The next meeting will be held on April 1st.

Minutes content supplied by AI
Edits by Virginia Clarke