

#### **4.15.26 PC meeting minutes otter/VC**

**This meeting was held remotely.**

Members present: Chelsye Brooks, Virginia Clarke, Mark Fausel

Members absent: Alison Anand, (*one vacancy*)

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

#### **Summary (Otter) :**

**The Richmond Planning Commission discussed the integration of a new stormwater ordinance, focusing on sections 6.17 and 5.5. They proposed a two-tier site plan review system: major plans, requiring professional design and DRB review for significant projects; and minor plans, not requiring professional design or DRB review for smaller projects. Key triggers for major plans include land disturbance over 10,000 sq. ft. or 2500 sq. ft. (these numbers are NOT finalized; just for discussion purposes) of impervious surface. The commission also considered creating a high-risk stormwater map to identify areas requiring stricter controls. The goal of balancing town protection with allowing development was considered. Refining the site plan requirements for both major and minor site plans included questions about the necessity for professionally-prepared plans or DRB review. The PC debated the inclusion of storm water and erosion control plans on site plans versus separate documents. They also discussed exemptions for small-scale projects and the enforceability of storm water management regulations. The next in-person meeting is scheduled for May 6th, with a hybrid format allowing remote participation. The group agreed to review Section 6.17 and a revision of proposed 5.5 when ready.**

#### **Outline**

##### **Meeting Introduction and Agenda Overview**

- Clarke welcomes everyone to the Richmond Planning Commission meeting for April 15, 2026, noting a quorum of three members, and opens the meeting at 7:10 pm.
- The agenda includes a continuation of the discussion on the new stormwater ordinance and setting up an in-person meeting for May 6 if possible.
- Clarke asks for any comments on the agenda, but no additional comments are made.

- The minutes from the March 18 meeting are reviewed and accepted without corrections or additions.

### **Review of Stormwater Regulations**

- Clarke outlines the strategy for integrating stormwater and erosion control regulations into the ordinance, creating a new section 6.17.
- The site plan section (5.5) will be used to plan for erosion prevention and stormwater management, and a site plan will now be required for all zoning permit applications.
- Clarke explains the distinction between major and minor site plans, with major plans reviewed by the DRB and minor plans reviewed by the zoning administrator. The category "major site plan" corresponds to what is currently called "site plan review."
- Fausel questions the need for site plans for applications that do not need to be reviewed by the DRB, and Clarke clarifies that the ZAO will still need a visual representation of certain information, such as setbacks and existing structures – these are already required – which will be known as a "minor site plan."

### **Details of Minor Site Plans**

- Clarke elaborates on the requirements for minor site plans, including the date and name of the person preparing the plan, location and dimensions of existing and proposed structures, and setbacks from property lines and roads.
- Minor site plans will also need to include information found on parcel deeds, such as utilities and easements.
- Minor site plans will not go to the DRB but will be reviewed by the zoning administrator.
- Osborne adds that minor site plans will still require erosion and sedimentation controls, even if they do not go to the DRB.

### **Discussion on Site Plan Requirements**

- Clarke and Osborne discuss the need for a professional plan if land disturbance exceeds certain thresholds, such as 10,000 square feet or 2500 square feet of impervious surface. Other trigger numbers are discussed, such as 20,000 square feet (approx. ½ A) of land disturbance and 10,000 square feet of new impervious surfaces.

- Brooks suggests mirroring the current zoning application requirements in the new site plan section to avoid confusion.
- Clarke agrees to combine what exists on the application with any new requirements needed to meet section 6.17.
- Osborne highlights the complexity of amending the ordinance and the need for clear standards and requirements.

### **Professional Plans and DRB Review**

- A discussion follows about requiring a professionally-prepared plan versus requiring DRB review. Suggested reasons for having DRB review include proximity to neighbors, impact on town infrastructure, and steep slopes, all of which might benefit from public hearings.
- Osborne suggests that our steep slopes requirement should be reduced from 20% (in current ordinance) to 15%, which is what most neighboring towns have.
- There is a short discussion about what would be required for projects in the FHOD or Shorelines Districts, or near wetlands, with no conclusions expressed.
- Brooks proposes creating a map of high-risk areas to inform site plan requirements, using existing mapping layers such as slopes, soils, and surface waters, from the ANR Atlas.
- Fausel suggests using a formula or equation to determine the need for a professional plan based on factors like slope, square footage, and soil type.
- Osborne emphasizes the importance of having clear, objective criteria to avoid subjective decisions by the zoning administrator.

### **Revising Site Plan Requirements**

- Clarke summarizes the changes that are being proposed to the site plan requirements, including refining the distinction between major and minor site plans, and the criteria for requiring a professional plan versus requiring DRB review.
- Brooks supports the proposed path, noting that it will balance the need for town protection with ease of process for applicants.
- Clarke and Osborne discuss identifying additional triggers for DRB review, such as proximity to streams or other factors.

- The group agrees to continue refining the criteria and to seek input from other stakeholders, such as the conservation commission and housing committee, as well as the map-makers at CCRPC for a “high-risk” stormwater map.
- Clarke discusses the need for a carve-out in the major site plan for a change of use, such as from a residence to a professional office, which may benefit from public hearings but which may not need a professionally-prepared site plan if there is no proposed land disturbance.
- Clarke says the scope of the proposed section 6.17 would be limited to new construction, new disturbance, and new impervious surfaces, even though this would not correct existing problems. Making the regulations retroactive would likely be too burdensome.
- The major site plan would require some additional information, including names and addresses of abutters, and depiction of all utilities and documented easements. These requirements are already in our zoning in the “site plan review” section.
- Osborne notes that the requirements are also in the conditional use review and subdivision sections, leading to potential redundancies.

### **Site Plan Review and Documentation**

- Clarke mentions that some neighboring towns require separate site plans and EPSC/stormwater plans, rather than a single plan for all information.
- The discussion highlights the complications of having all information on the site plan, which was intended to save time for applicants.
- Clarke suggests that the PC review the stormwater section (6.17) to understand the goals and objectives of the new regulations, including the need for a planning phase. This phase would be reflected in the site plan with the initial application and indicate that the applicant was thinking about the requirements of 6.17 at the beginning of the project.

### **Storm Water Management and Applicability**

- Clarke explains the goals of storm water management, including preventing flooding, stream bank erosion, and protecting adjacent properties.
- Construction projects disturbing over 600 square feet (this number not finalized) must plan for erosion control and storm water management.

- Osborne notes that the numbers in the regulations need to be aligned and reasonable for small-scale projects.
- Exemptions from the regulations include agricultural activities, emergency situations, and home gardening and landscaping with no runoff potential. These items may or may not need to be included here.

### **Enforcement and Compliance Issues**

- Fausel raises concerns about addressing after-the-fact issues, such as storm water runoff from neighbors' properties.
- Clarke explains that compliance with the ordinance is enforceable, and non-compliance requires remediation, but that there will always be exceptional circumstances, such as a larger than expected storm.
- Brooks questions the enforceability of exemptions such as home gardening. She and Fausel wonder if performance standards can be enforced if a permit has not been issued.
- Osborne says that performance standards can be enforced as part of the zoning ordinance.
- Fausel proposes adding language to performance standards to prevent undue adverse effects on neighbors, as well as on municipal infrastructure (already not allowed) from storm water runoff.
- Osborne and Clarke agree that the performance standards need to be updated to include storm water management, and that the proposed exemptions need to be reviewed.

### **Review of Section 6.17**

- Clarke asks everyone to review Section 6.17 and the guidelines for each phase: planning, construction, and post-construction.
- Osborne mentions that the zoning ordinance is a Word document, and all changes will be synthesized into the master Word document.
- Brooks suggests using Google Docs to collaborate on edits and comments, making it easier for everyone to see suggested changes.
- Osborne confirms that Google Docs will be converted to Word for the zoning ordinance.

### **In-Person Meeting and Future Plans**

- Clarke proposes having an in-person meeting for PC members on May 6th, with the possibility of remote participation for those guests who cannot attend in person.
- Fausel supports the idea of an in-person meeting, noting that digital interactions are less effective with a smaller group.
- Clarke confirms the meeting date as May 6th and says she will prepare the agenda for the next meeting.
- Fausel mentions potential work travel that may affect attendance, but commits to staying engaged with the materials.

### **Final Remarks and Adjournment**

- Clarke thanks everyone for their participation and contributions to the discussion.
- Guest Trevor Brooks chats that he may apply for the PC Alternate seat.
- Fausel makes a motion to adjourn the meeting, which is seconded by Brooks. As there are no objections, Clarke ends the meeting at 9:05 pm.

Minutes created by Otter program

Edited and submitted by Virginia Clarke