

**Richmond Planning Commission Meeting  
Minutes of January 18, 2023**

Members Present:	Virginia Clarke, Chris Cole, Alison Anand, Joy Reap, Lisa Miller
Members Absent:	Chris Granda, Dan Mullen, Mark Fausel
Others Present:	MMCTV, Adam Wood, Jeff Forward, Duncan Wardwell (Town Staff/Minutes)

**1. Welcome:** Virginia Clarke called the meeting to order at 7:30 pm

**2. Adjustments to the agenda:** None

**3. Public comment on non-agenda items:** None

**4. Approval of Minutes**

The January 4, 2023, meeting minutes were accepted into the record as written.

**Gateway and Village Residential/Commercial Districts and associated amendments  
Review attorney comments**

Clarke reviewed that the attorney can only tell us what is legal or not. Clarke explained that for 3.3.1 the attorney said we could say that large-scale commercial uses are inconsistent with the character of the District if we wished to. Clarke stated that she was unclear about what “large-scale” would mean here. Clarke reviewed that we are proposing to define the village scale retail, grocery and pharmacy definitions as 5,000 square feet or less, but we were not proposing limiting the size for other uses in 3.3. Clarke explained that the purpose and features section of the zoning document is not the regulatory part of the zoning document, but provides some additional guidelines for the DRB in the conditional use review.

Cole asked if Harrington’s would be an example of a non-conforming lot that would be grandfathered in. Clarke stated that it might be a non-conforming use, but would be grandfathered in as is. Clarke confirmed that the new grocery store on Railroad St. would be in the Village Commercial district, not in the Village R/C district.

Clarke stated that the definitions for grocery store, village scale, pharmacy, village scale, and retail, -village scale, with a maximum size of 5,000 square feet floor area, are legal according to the attorney. Clarke explained that the Village Residential/Commercial (VR/C) proposes to allow those three as conditional uses.

Clarke explained that the Development Standards help control so called “chain business”s by requirements concerning the outside of the building, as the appearance is important.. Clarke stated that the attorney suggested adding language to the Site Design Standards in 3.3.5(a) such that the screening or blocking from public view could be by means of a primary or accessory structure on the lot. Clarke wondered if commercial parking and loading should be allowed in front yards. Clarke reviewed that many houses have parking in the front yards, so it is not banning all parking in the front. Miller wondered about some examples. Forward observed that the loading at the Cumberland Farms is really problematic and the language seems to solve it. Cole stated that it does not make sense to prevent it because this is a mixed-use district and it doesn’t seem to be a problem right now as there might not be a lot of space to build parking lots. Forward stated that the current language proposed would prevent paving in the front yard for a parking lot like Papa McKee’s. The Commissioners seemed fine with how it is currently written.

Clarke stated that the attorney suggested for section 3.3.5(b) Building Design Standards to define “significantly remodeled exteriors” as more than 50% of the square footage. Forward explained that it might be similar to what they have been looking at for the Town Center as the flood plain regulations were listed as 50% of the value of the building. Forward suggested being consistent with this across the different districts and Clarke agreed that consistency was a good goal if it makes sense. . Forward added that we have an assessed value of every building so that it is easier to use the 50% of the value of the building for the definition. Forward asked if the 50% pertained to the square footage or the surface area. Clarke confirmed that the standards were about the appearance of the buildings, . i.e. the flat surface of the façade. Miller stated we can re-think these terms in different zones. Cole confirmed the State considers a significant remodeling at 50% of the assessed value. Cole stated that in this case, the definition is pointing to the exterior and aesthetics. Clarke stated this would be for multi-family residential and commercial units and not a single-family or duplex home. Clarke suggested that the Commission revisit this after having some time to think about it.

Clarke opened the discussion about sections 3.3.5(d) and 3.4.5(d) by stating that the “Multiple Structures on a lot” concept was used by many towns. Clarke reviewed the attorney recommendation to add the language: “and, in a situation where so-called “footprint lots,” or lots smaller than the required minimum size are proposed as part of the proposed plan of ownership, the DRB shall require the applicant to record a notice of conditions in the land records stating that for planning and zoning purposes the larger lot shall be treated as a single lot;” as 3.3.5(d)(iii) and 3.4.5(d)(iii) Clarke reviewed Reap’s point about PUDs (Planned Unit Developments) and condos having similar situations. Clarke suggested that the Commission adopt the attorney edits.

In discussing the proposed amendments to the Gateway R/C district, Clarke summarized Miller’s suggestion of not obstructing the iconic view of Camels Hump as an important purpose of this district. Miller stated that the view of Camels Hump is unique around the Gateway area and should not be obstructed by any developments. Clarke stated that it sounded more like a feature, and it is non-regulatory language. Reap stated that the Gateway side of Route 2 is not a place where the view of Camel’s Hump would be obscured by buildings. Clarke suggested that the Commission think about Miller’s suggestion, but for now we can keep the proposed language as it is..

Reap asked about Storage as a Conditional Use and wondered when it was taken out. Clarke stated that Warehouse use should take care of any indoor storage. Reap asked if it could be clarified. Clarke confirmed the definition of Warehouse Use would include indoor storage in the current definitions. Reap asked if a business yard for boats or cars is considered outdoor storage if it is properly screened. Clarke confirmed the definition of a Business Yard would include outdoor storage of material, equipment, or vehicles. Clarke stated that the current definition of a Business Yard includes a majority of the business activity taking place off-site. Reap asked about allowing a shielded outdoor storage lot for a parked car or boat. The Commission confirmed it assumes you can currently have outdoor storage in some instances. Reap expressed concern about the uses available if the Water & Sewer project does not go to the Gateway. Reap stated that storage would be a great use as the Water & Sewer option seems bleak. Miller stated that by definition storage may be a dump if it does not have business activity. Clarke suggested that this is something to think about for next discussion .

Clarke stated that the attorney suggested adding language to the Site Design Standards in the Gateway R/C, section 3.4.5(a) , exempting the prohibition of new curb cuts for lots that pre-exist the adoption of these regulations but do not already have a curb cut as of the date these regulations are adopted There was no objection to this addition.

There was further discussion about “Multiple Structures on a Lot” when section 4.5 was discussed. Clarke stated that the amended section 4.5” Multiple Uses and Principal Structures on a Lot” provides language that allows two principal residential structures on a lot,(as in section 3.3.5 and 3.4.5) and more than one use on a

lot in the Village R/C and Gateway R/C. Each other district needs to incorporate language so that the revised section 4.5 is able (as proposed) to allow exemptions, in those districts as well as the two we are considering, from the “one principal structure, one use” rule that has traditionally been in the zoning document, if the PC wishes to make those changes in the future.

More discussion on Section 4.5 ensued. Clarke confirmed that currently a PUD can have multiple uses and structures, as might other use categories like Home Occupation and Cottage Industry. Clarke stated that the proposed amendments for the two R/C districts provide specifics by saying you can put two principal structures on a lot and you can have a multi-use building. Anand and Cole confirmed they would like to understand more about prohibiting more than one use on a lot. Clarke stated that the “one principal structure, one use” is old, traditional language and may no longer be completely relevant, but that there might be controversy if we changed this rule for other districts without having public discussions about those districts first..

Clarke explained that once 4.5 and the other amendments are approved she would write a letter to the Selectboard to explain the changes, and why the PC was proceeding district by district.

Reap requested that in the proposed Parking Table (section 6.1.2), for Inn or Guest House, 1 space per room be changed to 1 space per guest room and Clarke agreed. Reap asked about 1.5 spaces for Single-, Two-, Multi-Family Dwelling being too much. Clarke stated that it reduces parking requirement from the current 2 spaces to 1.5 spaces to allow for more housing, and that it is an average of what is needed between dwellings with 0 – 3 bedrooms.. Reap stated that 15 spaces per 1,000 square foot of restaurant seems like a lot and suggested it might be based on the dining room space. Wood suggested that the parking requirement be proportional to the fire occupancy. Wood suggested using some parking spaces as guest spaces to avoid the half parking space. Clarke agreed to look into these changes.

Discussion moved on to the suggested amendments to the Definitions. Clarke stated that the attorney had no problem with restricting commercial development by size and not ownership, and that the language can also include other features of the building character. Clarke explained that these amended definitions were designed to avoid certain kinds of businesses or the creation of a food-desert. Clarke listed the two categories of retail stores, Large-Scale (over 5,000 square feet) and Village-Scale (equal or under 5,000 square feet). Clarke summarized additional language in the proposed definitions that were designed to ensure the availability of fresh food and avoid healthy food deserts: “having greater than 2% of its gross floor area devoted to the sale of food of any kind shall devote at least 25% of its gross floor area to the sale of fresh or fresh frozen produce, meat and dairy products.” Clarke stated this requirement for 25% fresh food applies to Retail and Grocery Store definitions, And basically states that if a store is going to sell food, it must have 25% of its floor space devoted to fresh food. Clarke summarized the Pharmacy language definition “No more than 2% of the gross floor area shall be devoted to the sale of food items such as snacks and/or beverages.” Forward confirmed these seem like reasonable restrictions. Wood asked if prepared food like lunch or dinners are considered as fresh food. Clarke stated that if it is perishable then it is fresh but it might need to be clarified for prepared meals. Clarke asked everyone to think about it for the next time.

## **Adjournment**

Cole moved to adjourn. Reap seconded. Motion approved.

Minutes submitted by Duncan Wardwell and edited by Virginia Clarke

## **Chat Log:**

02:04:15 Adam Wood: can we tie parking spaces to fire marshals licensed occupant capacity?  
02:28:40 Jeff Forward: Thank you all for your hard work.

*Related Files*

- [a Planning Minutes 01-04-23.pdf](#) 90 KB
- [b Memo Meeting 01-18-23.pdf](#) 149 KB
- [c Gateway and Village RC and associated amendments 01-18-23.pdf](#) 448 KB
- [d Richmond-Zoning-Regulations mark-up 01-18-23.pdf](#) 1 MB
- [e BylawAmendmentReport VillageRC 01-18-23.pdf](#) 114 KB
- [f BylawAmendmentReport GatewayRC 01-18-23.pdf](#) 114 KB
- [g Retail Pharmacy and Grocery revised 1.18.23.pdf](#) 96 KB
- [h Multiple principal Structures on a Lot revised for 1.18.23.pdf](#) 90 KB
- [i Retail uses in Village and Gateway comparison 1.18.23.pdf](#) 94 KB
- [j VillageRC EntireJerichoRd 12-22-22.pdf](#) 3 MB
- [k ProposedGatewayRCMap-9-21-22.pdf](#) 3 MB
- [z Gateway and Village RC and associated amendments 01-12-23 SPF review.pdf](#) 481 KB