



Planning & Zoning Office
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Town of Richmond Development Review Board Final Decision

RE:SP2023-01 The Applicants(Northfield Savings Bank) are seeking Site Plan Review for the former TD bank property located at 23 Pleasant Street. The applicants are seeking to make the following exterior changes. Removing a picket fence between the porch supports, removal of an existing satellite dish, new painting of soffit and roof returns siding and trim, and additional HVAC vents on the northside of the building. In addition, the applicants plan to upgrade all exterior light fixtures and replace them with new LED fixtures. They also provided a new Landscape Design

PARCEL HISTORY:

LIST OF SUBMISSIONS:

- a. SP2023-01. Narrative
- b. SP2023-01. B Site Plan
- c. SP2023-01 C. Abutters List
- d. SP2023-01 D Lighting
- e. SP2023-01. E Site Plan Part 1
- f. SP2023-01. E Site Plan Part 2

PROCEDURAL INFORMATION:

1. Application received 1/13/2023
2. Warning and agenda sent to Seven Days 1/20/2023
3. Hearing notice sent to applicant 1/23/2023
4. Abutters letter sent 1/23/2023

FINDINGS OF FACT:

1. The Applicants are seeking Site Plan Review for the former TD bank property located at 23 Pleasant Street. The applicants are seeking to make the following exterior changes. Removing a picket fence between the porch supports, removal of an existing satellite dish, new painting of soffit and roof returns siding and trim, and new vents for the HVAC system. In addition, the applicants plan to upgrade all exterior light fixtures with new LED fixtures. They also provided a new Landscape Design.
2. The project is located in the Village Downtown Zoning district
3. The Village Downtown district is subject to Section 3.10 of the Richmond Zoning Regulations

4. Section 3.10.1 notes that banks are an allowed use
5. Section 3.10.1 also notes that site plan review shall be required for development in the Village Downtown
6. Section 3.10.4 lists the following dimensional requirements for the Village Downtown district
 - a. No lot shall be less than one-eighth(1/8) or 0.125 acres. The purchase of additional land by the owner of a lot from an adjacent lot owner will be permitted, provided such purchase does not create a lot of less than the minimum area required in the Zoning District on the part of the seller
 - b. Each lot must contain a point from which a circle with a radius of twenty-five (25) feet can be inscribed within the boundary of the lot
 - c. A lot must have 50 feet of continuous frontage on a public or private road, or have access to a public or private road by a permanent easement or right-of-way approved by the DRB as regulated by Sections 4.2 and 4.3
 - d. The total ground area covered by all structures, parking areas, walkways, driveways and areas covered by impervious materials shall not exceed eighty percent 80% of the total ground area of the lot
7. Lot currently has 81.5 % coverage
8. As this coverage was preexisting it is a legally non-conforming lot and will be subject to Section 4.7 of the Richmond Zoning Regulations
9. Lot size is .31 acres
10. Section 3.10.5 notes the following Dimensional Limitations for Structures
 - a. Height- shall be as in Section 4.12 of these regulations.
 - b. Setback- All structures shall have zero (0) foot setbacks, except for a five (5) foot setback for all structures on district boundaries. All development is required to install and maintain a sidewalk to the public works standards on any and all public road frontage. Placement of the sidewalk and curb cuts or accesses to the property are subject to approval of the Highway Foreman
11. The Applicants narrative and site plan does not indicate any proposed changes to existing building height and setbacks
12. Section 3.10.6 subsection a. section ii notes that parking requirements for nonresidential uses will be covered by section 6.1 of the Richmond zoning regulations
13. Section 3.10.6 subsection c. notes that signs are covered by section 5.7 of the Richmond Zoning Regulations
14. Section 3.10.6 subsection f. allows the Development Review Board to review and approve the visual aspects of new construction or new or remodeled exteriors. The goal of this requirement is to ensure public ability to review the visual rendering, and the opportunity to provide input. A visual rendering of any new construction or remodeled exterior shall be required as part of a site plan and/or conditional use application. Any changes to the facade, size, or scale of new construction or a remodeled exterior shall require a new visual rendering that portrays the proposed changes and shall require an amendment to the Development Review Board's original site plan and/or conditional use approval which contains the most recent iteration of the visual rendering. The following shall be considered when reviewing the application
 - a. Compatibility of size, scale, color, materials, and character of the district, and construction utilizing materials similar or the same to the existing buildings of the district, is required for all new construction and all new or remodeled exterior facades

- b. Applicants shall be required to demonstrate compatibility through examples, research, architectural consultation, or other means
 - c. This compatibility requirement shall not prohibit artistic expression, ability to landscape, commercial viability, creativity, or individuality
15. Applicants site plan and plan set provided visual renderings of remodeled bank exterior, landscaping and sight layout
 16. The project will be subject to Section 4 of the Richmond Zoning regulations
 17. Section 4.1 notes that all vehicular accesses shall comply with the 2000 Public Works Specifications, or the most recent version of Public Works Specifications at the time of application
 18. Section 4.4 notes that no property can have more than one curb cut
 19. The property has two preexisting curb cuts
 20. The property has a legally nonconforming amount of coverage
 21. Legally nonconforming structures are covered by Section 4.7 of the Richmond Zoning Regulations
 22. Section 4.7.2 notes that Nonconforming structures may continue to exist unchanged indefinitely
 23. Applicants site plan and plan set shows no changes to building footprint
 24. Section 4.7.4 notes that nonconforming structures may undergo normal repair and maintenance without a zoning permit provided that the structure's degree of nonconformity is not increased
 25. Section 4.7.9 subsection d. notes that the definition of degree of nonconformity includes the extent to which the nonconforming structure exceeds any other required dimensional standard
 26. The property is 81.5% covered and is currently out of compliance with the 80% coverage requirement for the Village Downtown Zoning District
 27. The Project would reduce the degree of nonconformity by reducing coverage from 81.5% to 80.2%, bringing it closer to the 80% maximum coverage standard for the Village Downtown Zoning District
 28. Section 4.10.1 regulates Exterior Lighting of the building. The Town of Richmond exterior lighting policy is designed to reduce the use of inappropriate and poorly designed or installed exterior lighting which causes unsafe and unpleasant viewing conditions. On the other hand, it is also recognized that some exterior lighting is appropriate and necessary. All Richmond property owners or Applicants are encouraged to utilize the following general guidelines when designing and installing or replacing existing exterior lighting fixtures:
 - a. Use the minimum light level needed for the task
 - b. Avoid competitive lighting, in which one source of lighting is increased in illumination to "outshine" a neighboring source
 - c. Light areas evenly and uniformly for better visibility
 - d. Consider the color of the light and limit the use of lighting that provides unnatural color
 - e. Lighting should not shine onto adjacent properties or above the horizontal plane, at the elevation of the light fixture
 29. The Applicants lighting plan shows new lighting will be primarily located under the existing canopy and will be recessed and aimed towards the building
 30. The Applicants site plan provides lighting diagram and detail sheet for lighting plan
 31. Section 4.10.7 notes the following requirements. With the exception of structures having exceptional symbolic (i.e. churches and/or public buildings) or historic significance in the

community, exterior building facades shall not be illuminated. When buildings having symbolic or historic significance are to be illuminated, a design for the illumination shall be approved by the DRB, after public hearing, and the following provisions shall be met:

- a. The maximum illumination on any vertical surface or angular roof surface shall not exceed 2.5 footcandles. lighting a/r, hdr, and mhp r/c, g, v/c, jc, vd, and c i/c mounting height (max.) *** 20' 20' 25' minimum illumination level no less than 0.2 foot candles (fc) no less than 0.2 fc no less than 0.3 fc uniformity ratio * 4:1 4:1 4:1 average illumination level on vertical surface no more than 0.3 fc no more than 0.5 fc no more than 0.3 fc minimum cri ** 70 70 60
 - b. Lighting fixtures shall be carefully located, aimed and shielded so that light is directed only onto the building facade. Lighting fixtures shall not be directed towards adjacent Roads and Highways
 - c. Lighting fixtures mounted on the building and designed to "wash" the facade with light are to be preferred
 - d. To the extent practicable, lighting fixtures shall be directed downward (i.e. below the horizontal) rather than upward
32. The Applicants lighting plan indicates that lighting plan will meet maximum illumination allowed
33. The Applicants lighting plan indicates that lighting will be recessed into the interior of the canopy
34. The Applicants lighting plan notes that lighting will be mostly located under the canopy
35. Section 5.5.2 notes the requirements for Site Plan Review
- a. Name and address of owner(s) of the parcel
 - b. Names and addresses of all abutters, including those across contiguous Road(s) or Highway(s)
 - c. Unless waived by the DRB for good cause, a site plan shall be prepared by a registered surveyor, professional planner, engineer, architect, or landscape planner. In all events, the site plan shall be drawn to scale, and submitted with written supporting data, showing the following:
 - i. Existing features: contours, structures, utility easements, rights-of-way, deed restrictions, significant landscape features, Roads or Highways, surveyed boundaries, dimensions, total lot size
 - ii. Proposed Land Development: land use areas, structures, driveways, curb cuts, parking and loading areas, traffic circulation, pedestrian walkways, outside display areas, signs, site grading, landscaping, plantings and screening, setbacks and buffer strips, outside lighting, equipment and waste storage areas and sewage disposal areas.
 - d. Information as to the time period or phasing for completion of the project
 - e. The DRB may also require the following submittals:
 - i. Security as provided in Section 8.2.5.
 - ii. Formal traffic study if a substantial alteration in public traffic flow is anticipated or a largescale parking area is planned. This may include analyses of traffic volumes, average daily trips, turning movements, patterns of ingress and egress, levels of service on roadways and at intersections, and modes of traffic control
36. Section 5.5.3 notes that the DRB may impose conditions and safeguards upon the approval of a site plan with respect to features authorized by the Act (§4416), as amended. Maps, data, studies, and other information will be requested as needed by the

DRB for site plan review. Conditions of approval for site plan review include, but are not limited to, the following:

- a. Traffic - Conditions and safeguards with respect to adequacy of parking, traffic access, and circulation for pedestrians and vehicles, including, but not limited to:
 - i. Installation of speed change lanes or frontage roads
 - ii. Limitations on access driveways, or requirement that these be shared with adjacent properties to reduce curb cuts and provide for safe ingress and egress
 - iii. Provision for pedestrian traffic, with sidewalks and other walkways clearly separated from vehicular traffic and with appropriately designed road-crossing areas
 - iv. Roads within the site connecting to roads outside the site that will bear substantial traffic loads being constructed to the Public Works Specifications.
 - v. Parking must be located to the rear of buildings, or at the side well-screened from view.
 - vi. Trails for non-motorized transportation
 - vii. Provision for lighting adequate to promote traffic and pedestrian safety, while
- b. Landscaping and Screening - Conditions and safeguards with respect to landscaping and screening, including, but not limited to:
 - i. Provision for landscaping that will preserve the character of the existing neighborhood. This may include curbside shade trees.
 - ii. Provision of a buffer zone that shall include vegetative screening to conceal outdoor storage or display areas, parking lots, or loading areas, or other outdoor commercial or industrial uses from neighboring residences.
 - iii. Requirements that vegetation be indigenous to the area, sight-impervious, large enough to do well, and planted intervals in keeping with other neighborhood foliage.
 - iv. Retention of currently existing site vegetation.
 - v. Interim fencing being required while vegetation is growing to appropriate size.
 - vi. Provision for the care and maintenance of plantings, including removal of dead or diseased trees or shrubs.
 - vii. Minimum Landscaping Costs. The minimum direct landscaping cost shall be at least equal to the total project construction cost multiplied by a certain percentage per the below schedule:
 1. \$0-\$250,000-3%
 2. Next \$250,000-2%
 3. Excess over \$500,000-1%
 - viii. Front Yards. In the case of non-residential uses, the required front yard shall be suitably landscaped and maintained in good appearance.
 - ix. Buffer Strips. DRB may also require additional landscaping above and beyond the formula for the purpose of adding a buffer strip along I-89 to properly screen development from the highway
 - x. Additional Screening. The DRB may require additional plantings or attractive solid fencing, above the normal landscaping requirement, whenever it determines a particular site warrants such additional landscaping, such as to adequately screen two adjacent dissimilar uses

from each other, or to improve the appearance of a property which is covered excessively with pavement or structures or is otherwise insufficiently landscaped. All outdoor lighting or parking from public or commercial uses shall be screened from the view of the ground floor of adjacent residential buildings. Auto service stations shall be screened in the same manner from all abutting properties. Recreational vehicle parking areas shall be screened with evergreen trees and shrubs and such landscaping plan shall be part of the application

- xi. Exterior lighting shall meet the requirements of Section 4.11 of these Zoning Regulations
 - xii. The DRB may require any necessary grading or seeding to restore the condition of any portion of a site that is disturbed during construction.
 - c. Renewable Energy Resources - Conditions and safeguards for the protection and the utilization of renewable energy resources.
 - d. Size, location, and design of signs
37. Section 6.1.3 notes the following requirements for drive through facilities
- a. Drive-through facilities shall not utilize required parking spaces to meet stacking requirements. Facilities shall be designed to minimize conflicts with other on-site vehicular and pedestrian traffic.
 - b. A minimum of six (6) vehicles should be accommodated in each stacking lane
38. Property has a preexisting drive through lane
39. Applicants stacking diagram shows that they can have over 6 cars in the stack
40. Section 6.1.6 notes the following parking standards
- a. All parking areas subject to administrative review by the Administrative Officer, except for such areas associated with single or two-family dwellings, or other Land Development specifically exempted from site plan review, shall require Site Plan Review (see Section 5.5.1). All parking areas shall be located on the lot for which the parking requirement was generated unless specific alternatives are approved by the DRB
 - b. All parking areas shall be hard-surfaced (asphalt or concrete). The DRB may waive this requirement if the Applicant demonstrates that all of the remaining standards of section 6.1.6 will be met. In addition, the following specific standards shall be considered by the DRB when reviewing a waiver request for surfacing requirements: 1) The parking area shall be designed so as to prevent the intrusion of gravel or a similar surfacing material onto the road / Road or Highway travel lanes or adverse impacts on drainage systems
 - c. All parking areas and associated roadways shall be designed and constructed with detention devices, such as, but not limited to overland grassed and/or stone lined swales, detention basins, and settling ponds, in order to assure that the post development peak flow stormwater volumes from such parking areas and roadways do not exceed the predevelopment quantities based on the run-off from a twenty-five year, twenty-four hour storm event. All such devices shall be designed and constructed to the standards in the Public Works Specifications, except that in the event of a conflict between the Public Works Specifications and the preceding sentence, the preceding sentence shall control. Unless stormwater flows are contained on the lot where such parking areas and roadways are located, there must also be adequate off-site drainage areas to accommodate such flows
 - d. All parking areas shall provide for persons with disabilities which are clearly designated and marked, and signed, using the international symbol for access

required by Title 21 V.S.A. Section 275, as amended, for use by such persons only

- e. State, municipal or private commuter lots shall be approved by the DRB subject to Site Plan Review under Section 5.5
- f. All parking spaces shall meet the setback standards for the District in which it is located except parking in driveways in the Agricultural / Residential District for single-family residential uses, parking in the Jolina Court Zoning District, and the Village Commercial District. Refer to Section 3.9 for specific requirements regarding parking and setbacks in the Jolina Court Zoning District, and Section 3.5.4 for specific requirements regarding parking and setbacks in the Village Commercial District
- g. The DRB may require screening for any parking lots located within any front yard. Screening shall emphasize the separation of parking lots from adjoining public Roads or Highways to minimize glare from vehicle headlights onto public Roads or Highways. The use of berms and landscape materials is the preferred method of screening. The DRB may approve fencing, if it determines the more preferred methods are impractical
- h. All parking lots shall be landscaped as approved by the DRB
- i. The design of all parking lots shall incorporate measures to minimize safety hazards to pedestrians. Pedestrian paths shall be designated and clearly marked Separation of vehicle and pedestrian traffic shall be included in all parking lot plans where possible. The DRB may waive this requirement due to unique characteristics of the lot, or innovative alternative designs
- j. Parking lots shall be designed to encourage bicycle access. Any parking lot which is required to have fifteen (15) or more parking spaces shall provide bicycle racks at a location convenient to the main entrance to the business. The DRB may waive this requirement if in their judgment the business will not generate bicycle traffic
- k. Hard surfaced parking spaces shall be clearly striped and maintained and shall meet standard parking dimensional requirements as specified by the DRB
- l. The DRB may require the use of uniform ingress and egress signs, traffic control signs, and other signs as necessary to direct the flow of traffic
- m. Lighting shall be provided in all parking lots as approved by the DRB and in conformance with Section 4.11, Exterior Lighting, of this Regulation
- nn. Joint parking arrangements may be approved by the DRB, provided that the Applicant has submitted legal documentation to guarantee continued long-term availability of said parking. Within any shopping center or other areas where joint parking has been established, the DRB may not approve any site plan amendments or other use changes which would increase parking needs, or any waivers of parking requirements, until the Applicant has submitted proof of notice to all tenants or shared parking participants of the proposed change
- o. All fire lanes as recommended to the DRB by the Fire Chief shall be clearly designated by pavement markings and/or signage. All designated fire lanes shall be kept free from obstruction at all times. Vehicles parked within a designated fire lane for any period of time shall be subject to immediate towing at the owner's expense
- p. The DRB may waive some or all parking requirements and may place conditions on a waiver as necessary to guarantee adequate parking. The DRB may require any change in use on any property where a waiver has been granted to be

reviewed for parking impacts, and the change shall be prohibited if it is deemed to generate a parking deficiency. The DRB shall determine that one or more of the following standards are met at a specific location prior to granting a waivers:

- i. The proposed uses have staggered business hours with minimal overlap in business hours
- ii. The Applicant presents evidence that the parking requirements are excessive based upon new parking studies, traffic engineering data, or obvious and apparent existing parking demands
- iii. The Applicant demonstrates that the demand for parking is reduced because the type of business proposed substantially relies on pedestrian traffic
- iv. The Applicant demonstrates that sufficient off-Road or Highway parking is available at other locations within two hundred (200) feet which are, or have been approved by the DRB
- v. The use of mass transit, or other alternate transportation reduces parking demand
- vi. Joint parking facilities with abutting businesses are sufficient to meet parking demand. Richmond Zoning Regulations 61 Effective May 23, 2022
- vii. The I.T.E. (Institute of Traffic Engineers) Parking Manual, or other professional source, provides data which demonstrates parking demand for a proposed use is less than the standards specified in these Zoning Regulations

41. The Applicants detail sheet notes plantings intended to screen parking area
42. Pedestrian walkway noted on site plans
43. Applicants detail sheet notes only 9 parking spaces therefore bike rack is required
44. While not required the site does have an existing bike rack
45. Applicants plan set notes that they intended keep the bike rack and relocate it
46. Parking area shall be repaved and restriped
47. Ingress and egress arrows will be painted on pavements.
48. Parking will be hard surfaced
49. ADA parking located on site plan

CONCLUSION

1. Project is in compliance with section 3.10 of the Richmond Zoning Regulations specifically 3.10.1, 3.10.4, 3.10.5, 3.10.6,
2. Current coverage level of the lot is a legally non-conforming amount of coverage
3. Project is in compliance with section 4 of the Richmond Zoning Regulations specifically sections 4.1, 4.4, 4.7, 4.10.1, 4.10.7
4. Project is in compliance with section 5.5 of the Richmond Zoning Regulations
5. Project is in compliance with section 6.1 of the Richmond Zoning Regulations

DECISION: The Development Review Board Approves CU2023-with the following conditions:

- 1. Prior to the issuance of a Zoning permit the applicants submit long term maintenance agreement for the landscaping**

Any other applicable zoning regulations not expressly waived in this decision must be complied with.

This decision shall not relieve the applicant from any obligation to obtain all other applicable required federal, state and local permits, including wastewater permits.

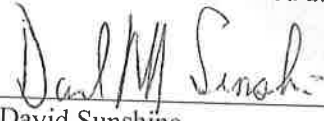
The application as approved shall be in conformance with the decision, referenced items, the findings of facts, and conditions. The Applicants' and interested parties are hereby notified that if they disagree with this decision, they have the right, under 24 V.S.A. 4471, to appeal to the Vermont Superior Court – Environmental Division.

The appeal must be filed within thirty days of the date of this decision, and be in accordance with the governing rules of procedure and rules of the Vermont Superior Court - Environmental Division. Title 24 Vermont Statutes Annotated, Section 4471 provides that "An interested person who has participated in a municipal regulatory proceeding authorized under this title may appeal a decision rendered in that proceeding by an appropriate municipal panel to the environmental court. Participation in a local regulatory proceeding shall consist of offering, through oral or written testimony, evidence or a statement of concern related to the subject of the proceeding.

DRB VOTING ON THIS MATTER (circle one for each member):

David Sunshine, Chair	in FAVOR	AGAINST	ABSTAINING	RECUSED	ABSENT
Mathew Dyer, Vice-Chair	in FAVOR	AGAINST	ABSTAINING	RECUSED	ABSENT
Padraic Monks, Member	in FAVOR	AGAINST	ABSTAINING	RECUSED	ABSENT
Roger Pedersen, Member	in FAVOR	AGAINST	ABSTAINING	RECUSED	ABSENT
David Schnackenberg, Member	in FAVOR	AGAINST	ABSTAINING	RECUSED	ABSENT

The above votes occurred at a DRB meeting on the 8h day of March , 2023.



David Sunshine

Richmond Development Review Board Chair

DATED 4/17/2023