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## Town of Richmond Development Review Board Staff Notes, 10/09/2024

RE: SP2024-03- The Applicants, Summitt Distributing, are seeking to amend their approved site plan for the remodeled Mobil station. The applicants want to change their sign design to allow for the price section to be internally illuminated.

LOCATION: 1436 West Main Street

EXISTING ZONING: Industrial Commercial

PARCEL HISTORY:

1. Enforcement action taken against Mobil for internally illuminated sign, April 23, 2002
2. Conditional Use Approval to redesign site lighting and ID sign, Approved December 27, 2002
3. Conditional Use Application CU2022-06, Approved August 24, 2022
4. Environmental Division Judgment Order, Approved December 9, 2022
5. Zoning Permit 2024-01, Approved January 10, 2024
6. Site Plan Application SP2024-01, Approved 03/19/24

LIST OF SUBMISSIONS:

- A. Site Plan Application
- B. Site Plan
- C. Narrative
- D. Sign Design
- E. Abutters List

PROCEDURAL INFORMATION:

1. Application received 09/16/2024
2. Warning and agenda sent to Seven Days 09/20/2024
3. Hearing notice sent to applicant 09/20/2024
4. Abutters letter sent 09/20/2024

STAFF COMMENTS (In Bold):

1. The project is located in the Industrial Commercial district and is subject to Section 3.7 of the Richmond Zoning Regulations.
2. The Applicants are building a Vehicle Fueling Station, as defined in Section 7 of the zoning regulations which is an allowed use per Section 3.7.2 of the Richmond Zoning Regulations.
3. Vehicle Fueling Stations require Conditional Use Review by the Development Review Board as noted in Section 3.7.2.

4. The Development Review Board approved Summits Vehicle Fueling Station use in 2022 with application CU2022-06.
5. The Applicants, Summitt Distributing, are seeking to amend their approved site plan for the remodeled Mobil station. The applicants are seeking to amend their approved sign design to allow the price section to be internally illuminated with LED lights.
6. Signs in the Industrial Commercial District are regulated by Sections 5.7.2 and 5.7.4 of the Richmond Zoning Regulations.
7. Section 5.7.2.d notes that no sign shall have any internally generated light.
8. The Applicants notes that this proposed lighting is not in strict conformance with this section of the regulations. They go on to note that having an internally illuminated sign would be safer for the attendants to change.
9. Section 5.7 does not have a waiver process. **(The Richmond Zoning Regulations clearly disallows any internal illumination as noted in Section 5.7.2.d. The Applicants safety concerns do have some merit. However, the applicant could take measures to protect their employees from potential harm while changing the price sign by changing it before the store opens or as it closes. In addition, the applicants have previously proposed an internally illuminated sign when they initially applied to remodel the station. The DRB explicitly denied their request for an internally illuminated sign at that time. If the applicant would like to have an internally illuminated sign they could approach the Planning Commission to propose changes to the Richmond Zoning Regulations that would allow for some internal illumination in signage. However, at this time the regulations do not allow any internal illumination of their signage. The rest of the sign design was previously approved by the DRB and appears to be in compliance with our regulations).**

**RECOMMENDATIONS FOR DRB CONSIDERATION:**

1. Deny the Applicants request for an internally illuminated sign as it clearly is a violation of Section 5.7.2.d.