

## 10.2.24 meeting minutes

This meeting was conducted remotely

Members present: Alison Anand, Virginia Clarke, Mark Fausel, Chris Granda

Members absent: Ian Bender, (*two vacancies*)

Others present: Keith Osborne (Director of Planning and Zoning), Erin Wagg (MMCTV), Bard Hill, Taylor Newton (CCRPC), Maya Balassa (CCRPC)

### **1. Welcome**

After opening the meeting at 7:10 PM, Clarke welcomed members and guests.

### **2. Review and adjust agenda**

There were no adjustments to the posted agenda.

### **3. Public comment on non-agenda items**

There were no public comments at this time.

### **4. Review minutes of 9.18.24 meeting**

There were no corrections or additions to the minutes of 9.18.24, so they were accepted into the record as written.

### **5. Presentation by CCRPC representatives on the Neighborhood Development Area (NDA) program**

The program was introduced by Maya Balassa from the CCRPC, who said that Neighborhood Development Area (NDA) is a state program of the Vermont Agency of Commerce and Community Development (ACCD) which is intended to provide permit and tax incentives to developers and communities to incentivize development in town and village centers. Richmond already has a village center designation, so this qualification is in place for us. Other communities with NDA's are Burlington, South Burlington, Winooski, Essex Junction and Hinesburg.

Taylor Newton, also from CCRPC, then reviewed the benefits of signing onto the program. These benefits include: a cap on the cost of a wastewater permit; a tax exemption on the land gains tax; limitation on project appeals based on "character of the neighborhood;" availability of Tax Increment Financing (TIF); and finally, the grandfathering of this program for Richmond into the development of the CCRPC's new regional land use map, a project that is required by Act 181, the new state law that reorganizes Act 250 and mandates a single model of regional planning/mapping development. He further explained that by signing on now, Richmond would be making it easier for both the town and the CCRPC to align with the state's new mapping categories, and for the current NDA benefits to remain accessible to us under new state area categories when the current NDA program sunsets.

Newton continued that non-growth areas currently under TIF schemes may not be eligible in the future, but that NDA's contiguous to downtowns will have priority for a number of state grant funds. He added that some of the grants benefit specific property owners to encourage them to develop or redevelop properties, but some also directly benefit municipalities. Newton also explained that there are Act 250 benefits such as exemptions, fee reductions and certain beneficial criteria (such as 9l) presumptions. He reported that within the past decade the current NDA program has supported the development of over 3,800 dwelling units; and that mixed income developments saved an average of \$50,000 in fees per project and reduced project permit timelines by around 7 months

Newton discussed the requirements for the NDA program, including: a map component outlining an area variably ¼ mile from the village center; avoidance of natural resources; "complete streets," and walkability requirements. Richmond meets the density requirement in the village, as the 1/5 A zoning requirement came in with Act 47. Balassa said that the first step by CCRPC would be to do a bylaw audit and see what would need changing in our bylaws to meet the NDA application criteria. Then they would work with the town to map out the exact area of the NDA, and then ultimately help us with the NDA application, which is due by October of 2025. Osborne brought up the point that grant money has been made available for 5 towns to look into this, and CCRPC had asked Osborne if Richmond would be interested, along with Shelburne, Milton and Essex. There would be no cost to the town.

Fausel questioned whether the part of the village center south of the river would be in the new NDA, and Newton said that perhaps a second village designation with its own NDA might be considered, since the area south of the river is partly served by water and sewer and partly ready to be served by that infrastructure. Clarke thought this might fit with current efforts to incorporate all walkable areas, including south of the river, with the village "downtown" either by extending the current "village center" or by having a second village center. Other areas of possible expansion were discussed, such as the Gateway to the west, and possibly north of the village, as well as the possibility of expanding more than ¼ mile in one direction to make up for the fact that the whole floodplain area would not meet the requirements, so there might be no expansion in the southern direction.

Newton then asked if the commission was interested in starting the process with a bylaw audit, and said CCRPC could commit to working with the town on the NDA until June 30, 2025. The NDA application would then be due by October 1, 2025. Clarke asked if there were any downsides, and Newton and Balassa said that we might need to change our bylaws if the audit found any items which didn't meet the NDA requirements. Anand, Fausel and Granda all expressed support for proceeding ahead with the NDA designation process with help from CCRPC. Bard Hill was also supportive. Osborne said he thought we could fit it in with our other PC work. Clarke said that she supported it also, which made it a unanimous approval. Newton then requested that we submit for review any proposed bylaw amendments currently being considered, and Clarke offered that the Village Residential Neighborhoods was likely to be approved by the SB soon, so that would be

forwarded along. Newton said the audit would likely be ready for a December PC meeting, and that he hoped to work with Richmond in the spring to review the CCRPC's future land use plans as well.

He encouraged the PC to reach out to any statutorily-defined environmental justice organizations, or any other groups, in Richmond for input into this mapping process. Clarke explained that Richmond may need help in developing the natural resources framework in the more rural forested parts of Richmond to meet the various state mandates as we work on a regional map. Newton replied that that might be a separate project, perhaps needing a separate source of funding, as CCRPC's job was to divide the regional map into the 10 different "typologies" as they are calling the land categories they are now using. He mentioned that these 10 categories could be found in Act 181 as well as in 24 VSA 4348 when it is updated. He said that perhaps we could use the regional plan when we update our own Town Plan in 2026, as then the two would align, or perhaps we would want to keep our own distinct future land use plan. He thought the CCRPC would begin a routine review in November of Richmond's Town Plan, which will be due for updating in 2026, and that this review will likely land in January of 2025. Clarke thanked Newton and Balassa for meeting with us; for selecting us to work with on the NDA project, and said we would be in touch again soon; and that we would have some extra work to do to add the NDA project to our busy schedule, but that it seemed worthwhile.

#### **6. Review Jolina Court Zoning District language in draft #8 (Section 3.9) and PUD amendment (Section 5.12.2)**

Osborne screen shared the redline version of draft #8. Clarke reviewed the purpose, which is updated to focus more on the residential uses in the district, while still retaining commercial uses. Permitted and conditional uses remain similar. The residential density section (3.9.4) keeps the base density at 15 U/A, but now also provides the ability to add units via a density bonus program (Section 6.15) to reach a total residential density of 20 U/A. This would give Buttermilk the ability to put a total of 60 units instead of 45 on their 3 developable acres. Osborne added that he is currently working on exactly how the density bonus program would be administrated, as well as the requirements for the parking and senior/adaptable units, so Section 6.15 is not yet ready to be reviewed. The program may be added into other districts as well, as we consider updating those districts.

Clarke continued: minimum lot size changed to 1/5 A as per Act 47; building height rewritten to include new section 6.16, also per Act 47, which prompted a discussion of building height in general, and the fact that fire truck ladder height is no longer the defining factor for multi-unit buildings which have other fire safety features. Residential parking has been changed to 1 space per dwelling unit as per Act 47, and the parking section has added language about parking space density bonus (outlined in Section 6.15) and infrastructure for wheelchair access to town sidewalks. Language requiring adhering to Multi-family Housing Development Standards was added. Clarke added that, overall, the

main change to Section 3.9 is providing the ability to add density by way of the new density bonus program.

Section 5.12 was changed to allow for residential uses on the ground floor of any building in the district that does not directly face onto Bridge St, as do the Creamery building 1 or the Richmond Community Kitchen, which still need commercial uses on the ground floor. This will allow for dwelling units on the ground floor of Creamery building 2. Clarke said targeted outreach would be done for parcel owners in this district after the density bonus section is complete and has been reviewed by the PC. There were no comments on this topic from the other commissioners at this point.

## **7. Updates and other business**

Clarke reminded the committee that the Village Residential Neighborhoods amendments were scheduled for SB hearing on 10/7/24, and that they would likely be coming back to the PC for Act 181 changes, even if there were no other changes resulting from the public hearing. Fausel asked about new changes, and Clarke said Act 181 seemed to be requiring that duplexes and 3-4 unit multi-family buildings in districts served by water and sewer can be built wherever single-family homes can be built, which has some significant density implications. The PC will discuss this when we review the SB's decision.

Clarke reminded commissioners of the 10/16 public hearing on the FHOD amendments. Fausel then asked about the site visit at the playground that had been mentioned previously. Clarke said that had happened on 9/20/24, having been scheduled without much warning as both Clarke and Jeanne Agner from the Three Parks committee were going out of town shortly. Fausel expressed dismay and frustration that he had not been notified of this meeting. Clarke said the point of the meeting was just for Tyler Machia to explain his process for coming up with his playground measurements. Clarke said she would send out a report about the meeting, which cleared up the misunderstanding that Machia's measurement email had created. She said it was up to Machia to provide an explanation, and she hadn't thought Fausel would be able to help with Machia's explanation.

## **8. Adjourn**

Fausel then motioned to adjourn the meeting and Granda seconded. As there was no objection to adjourning, the meeting ended at 8:45 PM.