

1.15.25 meeting memo from the Chair

5. *(This should be a relatively short item)* In light of the amount of interest shown recently in the proposed definitions for “recreation path” and “trails,” it might be preferable to separate these definitions out from the rest of the FHOD proposal, so that we can focus on public comment on the Flood Hazard issues that we have been working on for the last many months. These definitions are tangentially related to the FHOD but not essential for the Three Parks Committee’s immediate needs. The proposal to remove these definitions from consideration at this public hearing could be made by a member of the public or by a commissioner, so I would be looking for a *motion (from a commissioner) at some point. As far as scheduling a public discussion, we would likely be looking at a 1 hour discussion at one of our March meetings. (If there is time when all FHOD comments have been heard, guests may begin the discussion on paths/trail if they wish to remain at the hearing, to be continued at the later date.)

6. The Flood Hazard Overlay District (FHOD) amendments were developed by the Planning Commission in response to the idea floated by the Three Parks Committee, that the playground and restroom would suffer less damage from repeated flooding and create less ongoing expense for the town, if they were located up on the plateau where the bandshell (now defined as an “open air recreational structure”) currently sits. The current FHOD regulation in our zoning comes from a template provided by the Vermont Agency of Natural Resources (ANR). This template is known to provide rules that meet FEMA and NFIP (National Flood Insurance Program) specifications and allow for Richmond residents to qualify for flood insurance. The proposed amendments still have to be approved by ANR so that we do not jeopardize our NFIP status. The amendments were designed to allow for the reasonable actions of moving existing structures onto the plateau without adding any additional structures to the “floodway” and thus weakening the protective function of the floodplain regulations. The existing structures are called “nonconformities” because they would not conform to the current regulations if someone wished to develop them in the park today.

New definitions were added to allow for small structures such as trash cans, picnic tables, soccer goals and other “incidental structures” to be added and removed without needing permits, and to allow for the bandshell to be rebuilt (if that is the wish of Richmond residents) as any type of “open air recreational structure.” Elements were added to allow for structures to be “accessible” and for the relocated playground to be surrounded by a safety fence. All the amendments we are recommending can be viewed in the draft posted in the “meeting materials” for tonight’s meeting.

Because the current FHOD includes a footpath along the river, the issue of “recreation paths” and “trails” entered into the Planning Commission’s discussions. These recreational features currently lack definitions in our zoning ordinance, and as we understood that this had been causing some confusion for others recently, we proposed definitions for the terms. As there seems to be a lot of interest in these definitions, we are now considering removing them from the current packet for the moment until we can have a more complete discussion with all stakeholders beyond those folks interested in the floodway discussion. The proposed definitions are tangentially related to this packet of amendments, but they are not essential to the main revisions we have been considering, which we would like to move along to the next step in the approval process, which is recommending these changes for a Selectboard Public Hearing.

7. *(This should be a short 10 – 15 minute item)* Buttermilk LLC wishes to begin work on their second multi-family building on Jolina Court, but have stated that they are unable to obtain financing under the current zoning restrictions. After a year of work, the Planning Commission has developed some revisions to the zoning which we feel will be in the Town’s best interest and will also make it easier for the project to advance and to provide some much needed housing in Richmond. The two changes envisioned are: removal of the commercial-only requirement on the ground floor, and allowance for an overall increase in the number of dwelling units. Both of these changes bring up complex issues, and both have proponents and opponents. The resulting documents represent the best compromise we could reach. The Planning Commission will not be taking any public comment on these documents tonight; we have agreed that we wish to proceed with the proposed drafts and are just looking to approve them and set a hearing date. When we have the actual hearing for these documents, likely sometime in late February or March, we will provide a more complete explanation of what is proposed and descriptions of our thinking.

*I move that we remove the proposed definitions “Recreation path” and “Trails” from the proposed amendment packet “Flood Hazard Overlay District and associated amendments” warned for tonight’s public hearing and table consideration of these definitions until a later Planning Commission meeting.”