

## 2.19.25 meeting minutes

This meeting was conducted remotely via Zoom.

Members present: Ian Bender, Virginia Clarke, Mark Fausel, Chris Granda, Bryton Moeller

Members absent: Alison Anand, Rebecca Connell

Others present: Keith Osborne (Director of Planning and Zoning), Tom Astle (MMCTV), Maya Balassa (CCRPC), Kate McCarthy (CCRPC)

### **1. Welcome**

Clarke welcomed members and guests from the Chittenden County Regional Planning Commission (CCRPC) and opened the meeting at 7:02 pm.

### **2. Review of agenda**

As there were no adjustments to the agenda, the meeting proceeded as posted.

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

There were no comments on non-agenda items.

### **4. Review of 2.5.25 meeting minutes**

Moeller requested a correction to the minutes to reflect their preferred pronouns “they/them.” Clarke said the final posted minutes would reflect this change.

### **5. CCRPC discussion**

Clarke introduced the two-part discussion: the first part a presentation by the CCRPC planners about the new regional mapping and planning mandates arising from Act 181; and the second part a discussion about the potential collaboration of CCRPC with Richmond’s Town Plan 2026 effort. Maya Balassa, a CCRPC planner, began her presentation with a review of the purpose and elements of Act 181, which was adopted into state law in 2024. She mentioned changes to the state designation program; the way Act 250 is implemented; the way regional future land use mapping is done and the categories used for that mapping, and the new environmental justice mandate.

She reviewed the history of Act 250 as a land use law that has protected the rural countryside since the 1970’s, and is now being updated to relieve pressure on areas where development is wanted to help us meet our housing goals. She reviewed the new land use categories: “Centers” (downtown centers and village centers), “Neighborhoods” (planned growth areas and village areas), transition, enterprise, resource-based recreation, and “Rural” (hamlet, general rural, agriculture/forest and conservation). The regional map of these districts will be approved by the new Land Use Review Board (LURB), which replaces the Natural Resources Board. Areas mapped as Centers and Neighborhoods will be eligible for state Community Investment benefits. Municipalities can opt in or out in order to retain or exempt Act 250 oversight for the projects in their more developed areas.

*(This information is all contained in the handouts CCRPC provided in the posted materials for this meeting).*

Kate McCarthy, also a planner with CCRPC, then added that Act 181 better aligns the goals of the original Act 250 (natural areas preservation) with the economic revitalization aspects of the state designations programs, and allows for more strategic planning in areas suitable for development. More importance is given to regional “future land use” (FLU) mapping with its new framework and categories, in order to coordinate municipal, regional and state planning efforts. Balassa also reiterated that Richmond would not have to apply again for its “Village Center” designation once it is shown on the LURB-approved regional map. Clarke asked about Tier 1A and 1B designations. Balassa said that the Selectboard (SB) can request that all or part of Richmond can be mapped as 1B at the PC’s request, but that the SB would need to request 1A status from the LURB. Both 1A and 1B incentivize the development of housing by providing exemptions from the Act 250 review process, 1A full exemption for all projects where the criteria are met, and 1B partial exemption for developments of 50 or fewer residential units.

There was a short discussion of the new “road rule,” in which Act 250 is triggered if the driveway exceeds 800 feet. This encourages shorter driveways to reduce incursion into natural or agricultural areas and thus helps prevent fragmentation of those areas. There was further discussion about Tiers 1A and 1B. Fausel entered the discussion by confirming that for full Act 250 exemption (for Tier 1A) a municipality would need to have the in-house expertise to review all the current Act 250 criteria such as historic preservation, archaeology, stormwater etc., and have created bylaw standards by which to review these issues. With 1B status, the current Act 250 exemption is increased from <10 dwelling units to < 50 dwelling units. so there would still have to be some bylaw standards, and there would be somewhat less Act 250 oversight. McCarthy said that state permits for wastewater, stormwater, wetlands etc. would still be required, and that a 1B municipality might just need to add a few extra standards to their local permitting process. She also said there are some interim exemptions from Act 250 currently that will expire when the new regional mapping is completed by the end of 2026.

Balassa then talked about CCRPC’s state-mandated “housing targets,” or the number of additional homes that the state needs by 2030 and 2050. Richmond falls in the category of a rural area with a more “urban” center, which CCRPC will consider when “assigning” the municipality an aspirational goal of creating a certain number of new dwelling units. This goal will need to be included in the updated Richmond Town Plan, but the town will have to figure out the implementation. McCarthy added that most of the housing targets for 2030 are already in the pipeline, so we are really talking about 2050, and that CCRPC will have those targets figured out by mid-March.

Balassa then discussed what decisions Richmond needed to make to fit into the CCRPC planning process. The first is the Tier 1A vs Tier 1B question, that the PC will need to discuss with the SB. The second is our concurrence with the CCRPC’s draft map, and the

third concerns what outreach CCRPC should be doing in Richmond. Balassa then shared the map of Richmond, asking first if the depiction of the Water and Sewer “area” was correct. This raised the question of whether the marked boundary is the W&S District, or is it the area actually served by W&S service lines. Osborne and Granda noted that this is the old map of the W&S District and that this should include the Gateway area as the District was expanded in 2023. Clarke noted that the bond to actually extend the service lines into this area was voted down. Balassa thought that would be a “transitional” area with the potential to be a planned growth area if the lines were extended. Fausel then pointed out that there’s actually very little room for growth in the village area on the map designated as a “planned growth area.” McCarthy added that their baseline criteria is “served by water and sewer,” but that they also need to get the opinions of residents as to whether other criteria – including “already fully developed” - are also important. Clarke added that the Housing Committee should also be involved in this conversation, as they are looking at extending the W&S lines as a housing development tool. Fausel said that the topography of much of the land surrounding the village is not suitable for development, being either floodplain, steep slopes or ravines, as is the Jonesville area. Clarke mentioned the possibility of the Farr Farm being a growth area if the Farr’s ever wanted to give up farming.

Bender then questioned the CCRPC planners as to why Richmond actually needs more housing. McCarthy responded that the state of the housing market and the very low vacancy rate is not healthy, and that we want to share out the burden of providing more housing amongst all the communities. If everyone says “not here” then we would never be able to fix the housing problem. She also spoke of building homes for seniors who want to move to a smaller unit still within their community, and of providing housing location choice by building in a variety of towns. McCarthy then went on to explain that tax credits would be available to landowners within the state designated “centers” and “neighborhoods” if they wanted to develop a project, either residential or commercial, and that would be a benefit to local property owners as well as a community revitalization and economic development incentive. She also said that CCRPC’s housing targets would be taking into consideration how much physical space there is for growth, as well as the capacity of the W&S infrastructure.

The conversation continued with a discussion about the possible expansion of the mobile home park, Riverview Common. Balassa suggested that this might be a “transition” area on the new map. McCarthy presented the timeline that CCRPC has for their draft map, which does not include much time for PC discussion about these categories, as they plan to present a draft map in mid-March. The commission seemed somewhat amenable to making the Riverview Common neighborhood into a “transition” district, but felt that any other changes are going to have to be made between the time the draft is presented in March and the time it is finalized in May, as there is not enough time before the draft map is created.

Balassa then reviewed the memo she had sent over earlier in the day, that discussed what assistance CCRPC could offer the town for our own Town Plan 2026 update work. This

includes the initial review, which we have received, and a limited amount of time for technical, land use, GIS mapping and transportation support. Richmond could also apply through the UPWP process for more assistance. Balassa said there might be a possibility of joint outreach events in March or April especially if they involved environmental justice focused populations. Clarke thought maybe an event at Riverview Common might work, and said we would let them know of any other groups we could think of that were in the “environmental justice” population in Richmond. Clarke thanked Balassa and McCarthy for coming to our meeting. She added that the state mandates seemed to have created some unrealistic timelines for conducting any actual “meaningful outreach.”

Clarke summarized the CCRPC visit by encouraging the commissioners to read all the information Balassa had submitted carefully so that we could discuss it. She said different groups such as the Housing Committee, the Energy Coordinator, Natural Resources people and others would be sent portions of Balassa’s initial review to consider. She also encouraged review of the state statutes about Town Plans. Osborne added that there’s no information available from the federal government at this time as it is being blocked, and agreed that likely there will be no federal funding either.

## **6. Updates**

Clarke reminded the commissioners about the Jolina Court Public Hearing on March 5<sup>th</sup>, and about each member’s advocacy section – Fausel about parking; Granda about affordable housing; Bender about housing in general; and Moeller about the use of “physical limitations” vs “physical disabilities.” Clarke also asked if the PC wanted to include 2 other RZR items in this packet: the removal of the Index, which is not kept up-to-date; and the correction of the zoning map to include the current W&S District boundary. Granda said he opted for putting these 2 items before the Selectboard at a time separate from the Jolina Court packet. Clarke agreed that this might be simpler. She also agreed that Granda’s advocacy piece would be between 7:15 and 7:30pm at the hearing. Moeller said that they would work with Connell to develop the Town Plan kick-off event and steering committee recruitment effort. Osborne said he was ready to hear what this effort would need. Clarke said she hoped for a rough plan by the PC meeting of 3/19. Other updates included the scheduling of the FHOD hearing at the SB for April 7<sup>th</sup>, and the invitation from Josh Arneson for the PC to comment on the Capital Plan and Budget. Osborne said he would send the Plan and Budget material to the Housing Committee for them to review and weigh in on as well.

## **7. Adjourn**

Granda motioned to adjourn, and Moeller seconded. There were no objections, and the meeting was adjourned at 8:55pm.

Minutes submitted by Virginia Clarke

