

2.5.25 meeting minutes

This meeting was conducted in-person at the Town Center and remotely via Zoom.

Members present: Alison Anand, Ian Bender, Virginia Clarke, Rebecca Connell, Mark Fausel, Chris Granda, Bryton Moeller

Members absent: *none*

Others present: Keith Osborne (Director of Planning and Zoning), MMCTV, Fran Thomas

1. Welcome

Clarke opened the meeting at 7:05 PM and welcomed the commissioners and guests. New commission member, Bryton Moeller, introduced themselves, and each of the other PC members gave a short introduction as well.

2. Review and adjust agenda

Granda suggested that we add to the agenda a discussion of and timeline for our upcoming workload. Clarke said that we could add that to agenda item #7 if time permitted, and that this would certainly be on the agenda for our March 19th organizational meeting.

3. Public comment on non-agenda items

There were no comments on non-agenda items.

4. Review minutes of 1.15.25 meeting.

As there were no additions or corrections to these minutes, they were accepted into the record as written.

5. Continuation of Public Hearing on amendments to Sections 4.7, 4.8, 6.8 and 7 – Flood Hazard Overlay District

Following a motion by Anand, seconded by Bender, the continuation of the Public Hearing was re-opened by unanimous consent of the commission. Clarke opened the discussion by describing the most recent phase of the interaction between the ANF floodplain managers, and Osborne and herself. She reviewed the letter that had been sent to Kyle Medash and Ned Swanberg, and their response from 1/31/25. She said that she and Osborne had made a couple of small changes based on their earlier comments, to accord with the NFIP checklist, including removal of the “incidental structures” category, incorporation of those minor structures into the “insignificant activities,” and the requirement that they be permitted by the ZA. “Temporary structures,” an existing category, was amended to include such things as soccer goals, tents and portable toilets that were not anchored to the ground and so could be removed in case of an impending flood. They will also require a ZA permit, and cannot be in place for more than 180 consecutive days. The name of a contact person who would be in charge of removing them will also be required. These changes are also incorporated into the “Activities (Use) Table”

Fran Thomas wanted to know how specific the permits would be. Osborne responded that some of the specificity is contained in the definition, and otherwise the Zoning Administrator would have to make a determination as to whether or not the definition was met and whether an internal policy would be needed to flesh out the method of making this determination. Fran suggested that a number of people would need to be notified that a permit is now needed, for activities that haven't needed a permit until now, such as placing tents or sports goals. Clarke thought that one permit could be given for the whole summer for things like the Farmers Market tents or portable toilets for Little League, these organizations that would then be the responsible party. Clarke and Osborne agreed that these groups should be notified of the need for a permit.

Clarke summarized that the relocation of existing structures, which was one of the main goals initially, would be possible. She said that FEMA was most concerned about adding residential buildings into the floodway, and secondarily about adding non-residential buildings which would include the restroom building. If a new version of this building is relocated onto the plateau, it will have to be engineered and adhere to the "development standards" of Section 6.8.16 parts (a) and (g). A new pavilion to replace the bandshell (if that is elected) would not be a "building," because it would not have two or more walls. If a structure were created that was a combination of restroom and pavilion it would likely have to be thought of as a restroom ("non-residential building") having 4 walls, and separately as a pavilion ("outdoor recreational structure"), having less than 2 walls.

Fran Thomas related that the latest information from the Three Parks consulting engineer could be seen at their meeting from last week, and that this may help inform the decision about the bandshell/pavilion. Clarke said the PC goal was to enable either scenario, and to allow the playground to be rebuilt in a new location as long as the flood hazard was not increased. Anand commented that this has been a challenge for us because of the park's location in the floodway, and that she agreed with the outcome of doing the best for the town and for the future without worsening the flooding situation which we cannot control.

Clarke then moved on to the single remaining definition in Section 7 that was amended in the proposals for this hearing. She suggested that we delete this item, and take it up again in conjunction with the future discussion of trails and recreation paths. Bender, Anand, Granda and Connell agreed that it would be better to remove the proposed change and leave it in the RZR as it is currently written, as it warrants more study. Osborne added that this was incidental to our main task today, and definitely would benefit from greater discussion. As the majority agreed, this proposal to amend Section 7 will be removed from this packet of amendments. As there was no further public comment, Anand then motioned to close the public hearing, with Moeller seconding. As there was no further discussion, a vote was taken, with Granda, Connell, Clarke, Bender, Anand and Moeller in favor. Fausel abstained, and the motion passed to close the hearing.

Bender then motioned to forward the amendments to Sections 4.7, 4.8 and 6.8, as presented at the Planning Commission hearing and revised at the meeting of 2.5.25, to the Selectboard for their Public Hearing process and approval. The motion was seconded by

Anand. As there was no discussion, a vote was taken. Anand, Bender, Clarke, Connell and Granda voted aye, with Fausel and Moeller abstaining. Clarke and Osborne said they would forward the amendments along with supporting materials to the Selectboard to place on their agenda. Clarke asked Fran Thomas if she, as a member of the Three Parks Committee felt okay about these revisions, and she said she thought we had made the best out of a difficult situation, and thanked us for our work. Clarke thanked her for her committee's work as well.

6. Review of adaptable/accessible and universal design standards for the Density bonus program (proposed Section 6.15)

Clarke summarized the issue by saying that, in answer to Granda's question about the origin of the adaptable/accessible standards, she and Osborne had developed references for these standards to be incorporated into subsection 6.15.5 of the Density Bonus Program. They reviewed the Vermont Access Rules for Adaptable and Visitable Dwelling Units, which is found under the Vermont Fire and Public Safety Department; the Uniform Federal Accessibility Standards, and the Universal Design Policy from the Vermont Housing and Finance Agency. These are documents that contain standards that the state uses for building codes and various programs they have that might contain accessible or adaptable units. Five standards are required of all new residential construction (unless owner developed), and are listed on a "Disclosure of Compliance" form that the developer must sign and submit to Fire and Public Safety. Other standards were apparently developed in collaboration with AARP and are utilized by VHFA for their program requirements. All of these standards are the same or very similar to the ones we had originally listed, based on contacts at Cathedral Square, who work on senior and adaptable housing. We left off the pocket door for the bathroom as that didn't seem to be listed as essential in our references.

Bender asked whether this only applies to new construction, and Clarke said it does if the building or dwelling unit is not pre-owned. Osborne added that this is not something Richmond Zoning would administrate routinely for the development of residential buildings, but that the "Disclosure" form should be filed with the state Fire Marshall. In the case of our density bonus program, however, Richmond is the entity requiring these standards, along with the additional ones listed in 6.15.5, in order for the developer to receive the bonus units. Osborne said compliance would be checked by the ZA at the time of issuance of the Certificate of Occupancy. Moeller then initiated a discussion about whether the 5 "Disclosure of Compliance" items should be actually listed, as in the draft, or just referenced so our ordinance wouldn't have to be changed if the state changed its requirements. Granda thought there were pros and cons, but then agreed that 6.15.5.4 should just read "All new residential dwelling units shall comply with 20 VSA 2907," omitting the listed a) – e), then say that in addition to these requirements, "...the following will be required," and continue with f) – m). He felt that this would allow it to remain consistent with state policy.

Connell asked if there were other possible standards from other documents besides the ones we have listed as our additional standards. Clarke said these standards were a

combination taken from the several documents mentioned above. Osborne said the only one we added besides those, is the 400 sf minimum floor area, which we just felt was necessary for quality of life if we want to encourage seniors to age-in-place in these units. After further discussion, no one on the commission objected to just referencing 20 VSA 2907 plus adding f) – m). Moeller corrected a typo, and wondered if we should use the term “physical limitations” or “physical disabilities.” Clarke said we have used both terms. Moeller said they would like to research which term is preferred by the disability community; they said they had heard the disability term used more than the limitation term. Clarke said we could leave the language as is for now, including both “limitations” and “disabilities” and revise it at our public hearing based upon Moeller’s research.

A motion was then made by Bender to revise Section 6.15.5 as discussed at our meeting tonight, to be brought forward for our previously approved public hearing scheduled for March 5th. The motion was seconded by Anand. As there was no further discussion, a vote was taken, and the motion passed 7-0. Clarke said the changes just agreed to would be made to the document prior to Osborne’s posting the packet for the public hearing.

7. Other business and updates

Clarke introduced the topic of Town Plan 2026 saying she hoped to brainstorm ideas with the PC about issues such as: how do we want to manage the process; do we want to create a steering committee; what tasks should the individual PC members take on; how should we handle the parts of the plan that have no natural “home” and numerous others. She said Plan 2026 would also be discussed at our 2/19 meeting, which will be informed by CCRPC’s 2018 Plan analysis and outreach offer, and at our 3/19 organizational and “future plans” meeting as suggested by Granda. Public outreach ideas that have been talked about so far are tabling at the Farmer’s Market and a formal “charette” or workshop to which the public would be invited. There has already been initial outreach to various committees inviting them to comment on the status of their Plan 2018 goals and actions.

Clarke mentioned that tonight’s meeting materials include a rough timeline, as well as an initial list of friends and advocates of the 10 Plan areas who will need to be contacted – a list that she hopes will be supplemented by others on the commission. There will also need to be outreach to underserved groups, as this has been mandated by Vermont’s new Environmental Justice policies – for example Riverview Common, or Jonesville. Granda concurred that Plan 2026 was important and needed all such outreach efforts in order to gather a broad range of opinions. Connell suggested dividing the Town into sections. Connell and Granda felt that a steering committee would be essential. Granda suggested recruiting other residents to be on the steering committee. Clarke suggested dividing up the work by recruiting for the 10 technical sections, to get folks with specific interests, for instance, economic development, housing or education. Moeller suggested that we make the list of contacts into a more permanent tool by adding interests, affiliations and contact info. Clarke added that Osborne was developing a filing system for keeping track of all the public comment we receive.

The PC agreed that a steering committee would be best for this project, formed from a recruitment process, perhaps following a kick-off event. Fausel and Granda remembered this activity from Plan 2018, and also having a consultant help with the planning effort. Clarke remembered being on the steering committee for the subsequent revision effort on Plan 2018, which was the second attempt to develop this plan. The visioning and outreach work from the first effort definitely informed the second effort, but the writing was local rather than by a consultant. Bender suggested employing motivational strategies to get folks excited about working on the plan, and Connell encouraged the PC to make it a fun and celebratory activity, and volunteered to lead the planning for a kick-off celebration. Granda concurred with this idea. Anand suggested a party at her pool. Connell added that this has to be a group effort, and that the tasks need to be divided up. Granda felt it would be better to move this project outside of the day-to-day work of the PC by recruiting a team from outside the PC. Anand felt that a joyous process of remembering our original goals and appreciation of Richmond's special qualities would help us deal with all the challenges and sadnesses of the last several years.

8. Adjourn

Granda motioned to adjourn, seconded by Anand. As there were no objections, Clarke adjourned the meeting at 9:06 PM. She reminded the members to bring their questions for CCRPC to our next meeting on 2/19.