



Planning & Zoning Office
Town of Richmond P.O. Box 285
Richmond, VT 05477
(802) 434-2430
tmachia@richmondvt.gov
www.richmondvt.gov

Re: Sunshine Waiver Requests

Introduction

The Applicant, David Sunshine, is coming to the selectboard for two reasons, to request a waiver to the Richmond Rural Road Specifications, and to approve the location of a hammerhead turnaround for this proposed subdivision. This subdivision is located at 1582 Jericho Road and the following is a brief summary of the application with the need for Selectboard approval for it to move forward.

Application Summary

The Applicant is seeking approval for a subdivision located at 1582 Jericho Road which would result in the creation of two new lots, parcel 3 and parcel 5. Parcels 2, and 4 already exist and are currently serviced by a shared driveway. A section of the shared driveway runs through a class 2 wetland. The additional lots will require a portion of the existing shared driveway to be upgraded to the Rural Road specifications to at least the first driveway, as this portion of driveway would end up serving 4 or more lots. § 1.5 of the Richmond Public Works Specifications notes that rural road standards can be used for “those single-family dwelling unit subdivisions (single-family meaning to include up to one accessory apartment in conformance with applicable regulations) consisting of four to nine residential lots that use a single shared access to a town road”. The Richmond Zoning Regulations and public work specifications note that driveway standards can be used from the point where the access services three or fewer lots. The Development Review Board has reviewed the applicant’s preliminary subdivision application and has approved it as presented by the applicant

Issues for Consideration

Issue One: Waiver from Rural Road Specifications

The Applicants are requesting a waiver from the rural road standards for the following reasons:

A.) Town of Richmond Subdivision Regulations §600.6 notes that dead end roads have to end in either a cul-de-sac or a hammerhead turnaround. The rural road standards only apply from Jericho Road to the driveway for parcel 4, since this part of the access services 4 lots. Per §600.6 this first section should end with a hammerhead turnaround as that is considered the end of the dead-end road. The Applicant can proceed with the driveway standards from that point on provided the driveway serves three or fewer lots. However, this would mean that the hammerhead would be located much closer to Jericho Road and would only end up serving one lot, the existing parcel 4. Rather than locate the hammerhead there, the applicants would like to locate the hammerhead further down the shared access, as noted on their plans. This would allow

the turnaround to serve more lots. The problem with this is that the hammerhead is supposed to be located at the end of the dead-end road as noted in the Richmond Subdivision Regulations, which would require the applicant to widen the existing shared driveway to meet the rural road standards. This would require the applicant to get a wetland permit for the added disturbance in the class 2 wetland, where the existing driveway is located. Seeking to minimize this impact the applicants would like to not be required to widen the driveway to the rural road standards to eliminate potential wetland impacts.

B.) §200.01 of the Rural Road specifications notes both the Selectboard and Development Review Board have to approve the waiver from the rural road standards.

C.) §200.01 of the Rural Road Specifications also notes that “waivers (...) shall only be permitted when extenuating physical limitations, not financial, are present on the site”. The Selectboard will need to consider whether the class 2 wetland is an existing physical limitation that prevents the applicant from fully utilizing the rural road standards.

Issue Two: The Location of the Hammerhead Turnaround

In addition to the Rural Road waiver, the applicants need the Selectboard to approve the location of the hammerhead turnaround. Selectboard approval is required per §1.1 of the Public Work Specifications and §600.6 of the Richmond Subdivision Regulations. As previously noted, the location has been reviewed and preliminarily approved by the Development Review Board though the applicant will still need final approval of its location during final subdivision review.

Conclusion

The Selectboard will need to consider whether to grant the Applicants request to waive the rural road standards to allow the hammerhead to be located further down the shared access without being required to widen the existing driveway in the class 2 wetland. They will also need to approve the location of the hammerhead per the public works and subdivision regulations. The relevant sections of the regulations have been referenced above.

Sincerely
Tyler Machia
Zoning Administrator