

RICHMOND CONSERVATION COMMISSION

Meeting minutes, Tuesday December 14, 2021

7:30 PM

Richmond Town Center Meeting Room, 3rd Floor – 203 Bridge Street, Richmond, VT

7:30 p.m. Public comments and introductions

In attendance:

Daniel Schmitt
Ibit Wright
Kit Emery (newest member)
Bob Low
Kathryn Krieder

From public:

Virginia Clarke (head of
Ravi Venkatara (town planner)

7:40 Appoint minutes taker; review November minutes

- Max to take minutes
- We did not have the November minutes for review

7:50 Additions, amendments to agenda

- None

7:55 Wetlands rules information and discussion; and liaison for working group –

- guest Virginia Clarke (leading discussion)
- Wetlands Zoning Bylaw change discussion:
 - o Currently in the zoning: You cannot alter or build in wetlands in any way period. Therefore, anytime you need to build in or near a wetland you have to appeal the denied permit and then seek a variance (which is a cumbersome task)
 - o Richmond wants to create a clear path for “crossings” of wetlands and buffers that are a reasonable use of property
 - o Max asked about whether the State process is sufficient if the Town is not considered regulation of class 3 wetlands
 - Virginia noted that Richmond wanted to highlight the importance of wetlands and wetlands review
 - o Max asked whether the Town considered any “allowable uses” that do not need permits, similar to what the State allows:
 - Virginia stated that this was meant to be more strict than the State rules, but is still less restrictive than the current rules which do not allow anything
 - o The next step is to have a public hearing
- Mobil Station:
 - o Non-conforming structure (built on pile of dirt in the middle of a disturbed wetland)
 - o The wetland and buffer are both disturbed already

- The project they are proposing would actually improve the wetland and would help the current situation
 - The Planning Commission generally supports their idea (with respect to the Wetland issue) as long as they can show the project will overall improve the situation
 - (There may be other issues the Planning Commission may have, but those are unrelated)
 - DRB can grant conditional use approval to extend the footprint further into the buffer (which normally would not be allowed), but because this may be helpful in the long run, it may be allowable
 - The planning commission have thus added a section to the proposed wetland rules that States an encroachment into the buffer may be allowable IF
 - It doesn't harm neighboring properties
 - A few other conditions
 - The RCC would then provide a letter agreeing the conditions have been met
 - Question: why not rely on the State Permit and the State wetland's ecologist?
 - The RCC doesn't have any further expertise than the State wetland ecologist
 - Virginia noted that the applicant is not required to seek a state permit before seeking a municipal permit, so the State ecologists may not have reviewed yet
 - RCC would be asked to give an opinion... this may require an expert opinion? It is not clear from the language
 - Max has requested clarification that this is a review vs. a factual evaluation and whether it is expected that the RCC hire expert review or not (it was determined that this should be a review by the RCC of the process itself to the extent the RCC determines necessary).
 - Question: Bob asks whether the DRB would want to do this review vs. the RCC
 - Virginia will ask whether the DRB would rather do it themselves
 - Bob states that he likes the RCC's proposed role
 - There was general consensus from the RCC that the language as modified by Virginia was acceptable (no vote taken)
- Planning Commission Town Goals Review
- Judy submitted the necessary report on the goals
 - There were only 2 that were flagged that required a reply
 - Virginia is the liaison to the RCC and is bringing us the 2 flagged items:
 - 1. The wetland inventory → the planning commission has gone off of that topic and may be moot
 - 2. Developing a lending library of tools for invasives removal
 - We would need some sort of town system
 - Joy Reap has tools and is willing to lend them out (to some extent)
 - Virginia asks we coordinate with Trails Committee and maybe Richmond Mountain Trails to use tools that already exist and can be shared
 - If there are NOT tools that can be comfortably shared, then perhaps the Planning Commission can request funds for a library
 - Daniel from RCC will check in with Trails committee and VYCC to see if they can setup a tools library

8:25 Motion to approve recommending Josh Arneson's solution to RCC members for the Andrews Community Forest, that is "a motion to appoint Daniel as the representative and Caitlin as the recommendation and include in that motion that if approved by the Selectboard then Caitlin would agree to resign from the Conservation Commission in order to be in compliance with the ACFC bylaws. Then the ACFC would vote on a similar motion and the Selectboard would vote on a motion that would accept Caitlin's resignation from the RCC and appoint Caitlin and Daniel as the RCC recommendation and representative, respectively."

- Bob provided background:
 - o Bob says the RCC was given authority to recommend appointing 2 folks to the ACFC, but it is unclear whether both can be on the RCC
 - This motion is to resolve this issue as Caitlin was theoretically on the RCC when she was appointed, and then we asked Daniel to be appointed.

- **Bob's New proposed motion:**
 - o "The Richmond Conservation Commission (RCC) recommends that Daniel Schmitt and Caitlin Littlefield be appointed to the Andrews Community Forest Committee (ACFC)."
 - Vote:
 - All votes were in favor, passed unanimously

 - o There is an outstanding question as to whether she can serve as an alternate on the RCC.
 - We will pose this to the Selectboard and/or the town administrator \

 - o Also, there is a question as to whether the ACFC bylaws are operative and legitimate... but we won't take that up now.

8:30 Matters arising

- There is still one (1) empty seat on the commission (we should try to fill it)
- Judy and Ibit's terms are also theoretically ending soon, and there is a question as to whether to appoint them again, etc., so we should discuss that next meeting!

9:00 Adjourn

Minutes (formal or informal) are due at the town offices 5 days after any public meeting. Please send me a draft within 5 days from this meeting (by 12/19/2021).