

**RICHMOND SELECTBOARD
REGULAR MEETING
December 15, 2014 MINUTES**

Members Present: Taylor Yeates; Chris Granda; Bard Hill; David Sander; Ellen Kane
 Absent: None
 Others Present: Geoffrey Urbanik, Town Manager; Mary Houle; Harold Irish; Maureen Kangley; Gary Bressor; Christy Witters; Glenn Glasstetter; Marcy Harding; Jeff Forward; Patty Brushett; Mike Foote; Cathleen Gent; Ian Bender; Robert and Joy Reap; and Ruth Miller was present to videotape the meeting for MMCTV Channel 15.

Taylor Yeates called the meeting to order at 7:10 PM.

1. Welcome and Public Comment

Mr. Yeates asked if there was any comment from the public for items not on the agenda.

Marcy Harding said she was not able to attend last week’s public hearing on the Gateway regulations. She said the speed at which the amendments were moving through was too fast and she wanted to prevent the Gateway from turning into a strip.

Mr. Sander thanked the Highway Department for their work over the last week in keeping the roads open despite the downed limbs and powerlines.

2. Items for Discussion with Those Present

Presentation of Amended Flood Hazard Overlay District (Floodplain) Regulations

Clare Rock, Town Planner, was present to explain the amendments to the Flood Hazard Overlay District and the Planning Commission’s thoughts behind the changes. She noted that following the Irene flooding we had issues with permitting for people trying to repair their homes. The Planning Commission was concerned that permits were deterring people from making minor repairs. The Planning Commission has made several changes, held a public hearing on December 3rd, and now presents the amendments to the Selectboard.

Ms. Rock pointed out the new zoning map included the Flood Hazard Overlay District, and she discussed the expanded flood plain that was a result of the FEMA digital remapping. She said that the new flood plain takes in parts of Esplanade and the mobile home park and Rogers Lane areas that flooded during Irene, but had not been included under the 1982 maps. The amendments included more permitted activities, such as minor maintenance and repairs, and fewer conditional use activities. New principal development was still prohibited in the FHOD.

Mr. Granda spoke a little about what he knew of the background behind these amendments. He was concerned that these changes would be consistent with FEMA guidelines. Ms. Rock explained how they went through FEMA approval, and following the final draft the regulations were submitted to FEMA. Their only request for a change was to not be so specific with allowable repairs.

1 Christy Witters asked if the town was still interested in the Community Rating System (CRS)? She
2 had understood that the town's residents could get reduced rates on flood insurance by adopting the
3 CRS. Ms. Rock said this was the subject of several discussions at the Planning Commission but
4 Richmond would need to dedicate significant resources to the floodplain management function. This
5 may be a large investment on the town's part and we didn't feel ready for that. There may be a tiered
6 incentive approach, however, it was not being proposed with this revision. There was additional
7 discussion on the Community Rating System, and the regulations in general. Ms. Rock concluded her
8 presentation.

9
10 Mr. Yeates proposed a hearing on January 20th. Ms. Kane offered a motion to set a public hearing on
11 the Flood Hazard Overlay District Regulations for January 20, 2014 at 7:30 PM in Town Center and
12 was seconded by Mr. Hill. The motion carried 5-0.

13 14 Discussion of Amendments to the Gateway Zoning District

15
16 Mr. Yeates said that at last week's public hearing, we heard from 35 people, and he received eight
17 emails on the subject – six in favor of the changes and two against. He asked if we were ready for a
18 vote in March, or if the Selectboard wanted to make any further changes.

19
20 Mr. Granda said there were two aspects – the political and the technical. On the technical side, he is in
21 agreement with the changes and we can always make more changes in the future. However, he did not
22 see a move forward since there hasn't been enough vetting of the issues.

23
24 Ms. Kane said we had a good look at public comment, and we have the opportunity to do important
25 economic development. She felt even more should be done.

26
27 Clare Rock said that the Planning Commission will look at the Town Plan for the next 1.5 years and it
28 is unrealistic to think we can to both the Town Plan and revise the full regulations at the same time.

29
30 Mr. Granda talked about the mobile home park, and financially we no longer needed the changes to
31 the Gateway if we got the mobile home park connected. These services won't be available for two
32 years at least, so the rushing of these changes makes no sense. Mr. Granda also wanted to see a legal
33 agreement with the mobile home park before we go for any bonding.

34
35 Bruce Bailey was concerned about the flood zone, and flooding of the facilities. The Manager said
36 there were ways to floodproof the water and sewer facilities. They had done some floodproofing here
37 in town after Irene.

38
39 Jeff Forward talked about the origin of the Gateway district, and how it came about from a robust
40 planning effort over various times, and came about in the 1990s. He felt that we're moving too
41 quickly to change what took many years to take shape.

42
43 Christy Witters said she understood the Reap's concerns, their timelines, and we shouldn't be affecting
44 their future plans with careful decisions.

45
46 Mr. Yeates said he was afraid we would miss an opportunity. If we slowed this down, what
47 development would we end up with? He said if we tabled this with no action, we could get a 100%
48 residential buildout, and with water and sewer availability it could be substantial, and a mistake to
49 drop this now. There was significant discussion from the board.

50

1 Mr. Yeates asked if we should move this out to February? What would prevent the worst case
2 scenario? There was discussion about having this scheduled in February or at the end of January. It
3 was decided to bring this back before the board on February 2nd.

4
5 Joy Reap said she hadn't heard anyone complain about the proposals they have put together. She was
6 concerned about waiting for two years for changes and infrastructure.

7
8 Mr. Yeates agreed and reiterated that we were missing an opportunity. Mr. Hill said that modest
9 changes could be made within the framework of the town plan.

10
11 Mary Houle suggested interim zoning.

12
13 Mr. Yeates said this would be part of the West Main Utility Extension discussion on January 5th,
14 during the joint meeting of the Selectboard and Water Commission.

15 16 **3. Other Business**

17 18 FY2016 Budget

19
20 The Manager explained the changes made on the latest draft. Spending was now at \$105,000 more
21 than FY2015, and taxation was up by \$84,000 more than the current year – at 1.88 cents on the tax
22 rate.

23
24 Mr. Granda objected to how the Conservation Reserve Fund was shown. He felt it was misleading to
25 say to people that we were presenting a 2% tax increase, when there was an outstanding question on
26 the ballot for an additional one cent (or 1.5%). He said we'd talked about keeping the tax increase to
27 the CPI, and we can't keep to that with the Conservation Reserve Fund.

28
29 Mr. Yeates agreed on the concept but felt that we could not change the way it was shown. Mr. Yeates
30 discussed several areas of the budget and mentioned advice from the Manager. He noted that the
31 Reappraisal Reserve could be lowered by \$10,200 since we were well funded and a townwide
32 revaluation was not immediately necessary. He discussed the recommendation from the Water
33 Commission to add in \$11,570 to the Fire Department Water and Sewer budget. This was based on
34 their analysis that the costs of delivering water for fire protection was higher than the simple cost per
35 gallon of metered water. There was some confusion over the amount, and how to allocate this, when
36 the Administration water budget was paying for some amount as well. This line was not
37 recommended to change this time.

38
39 Mr. Yeates said that without additional detail on the Library's capital needs, their Capital Reserve
40 funding should remain at \$8,000. There was some discussion of the Highway budget, and retreatment
41 numbers. The discussion centered around whether or not the money was matched to mileage in the
42 12-year retreatment plans. Mr. Hill suggested we level-fund the budget at \$290,000 thereby reducing
43 the budget by \$20,000.

44
45 Maureen Kangley said she backed Peter Gosselin's decisions more than the Selectboard's.

46
47 Mr. Yeates said we would discuss further changes at the next meeting.

48 49 Financial Reports

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1 The Manager noted the unaudited financial statement of operations and change in net position for
2 fiscal year 2014. This showed a net-positive for year-end for general fund operations. The
3 Selectboard also reviewed current year budget status.

4 5 West Main Utility Extension

6
7 The Manager explained that decision time is approaching for placing questions on the ballot for this
8 issue. The Water Commission has been actively studying the possibilities for extending the water line
9 from behind Camels Hump Middle School into the Gateway, and beyond into the Riverview
10 Commons Mobile Home Park. There had been some discussion on how to provide service to people
11 along this line and whether there needed to be an expansion of the district or if individual agreements
12 could be negotiated. The Manager said that Mark Sperry had prepared a memo on this, and he would
13 be at the January 5th meeting. In a nutshell, there was more than one way to allow connections, and in
14 this case it appeared that individual negotiated agreements for connecting would be the best way to
15 proceed.

16
17 The Selectboard had a brief discussion on this, and looked forward to the discussion on the 5th.

18 19 Ballot Questions

20
21 The Manager said that the outstanding question at this time was the Tax Stabilization question, which
22 was agreed previously to be discussed from the floor. The question wording was amended, and
23 proposed to read, "Shall the voters authorize the Richmond Selectboard to negotiate and enter a Tax
24 Stabilization Agreement for Economic Development purposes to reduce or cap municipal taxation as a
25 redevelopment incentive, for the properties commonly known as the Creamery, pursuant to 24 V.S.A.
26 2471, for a term not to exceed ten years?"

27
28 Mr. Hill offered a motion to approve the question, "Shall the voters authorize the Richmond
29 Selectboard to negotiate and enter a Tax Stabilization Agreement for Economic Development
30 purposes to reduce or cap municipal taxation as a redevelopment incentive, for the properties
31 commonly known as the Creamery, pursuant to 24 V.S.A. 2471, for a term not to exceed ten years?"
32 on the ballot for Town Meeting and was seconded by Mr. Granda. The motion carried 5-0.

33
34 There was some discussion on the Conservation Reserve Fund. The Manager had prepared revised
35 question language as follows: "Shall the Town of Richmond continue funding the Conservation
36 Reserve Fund established by the voters in 2005, and renewed in 2010, for the purpose of preserving
37 water quality, providing outdoor recreational opportunities, protecting wildlife, and conserving
38 important natural, agricultural and historic resources, with funding maintained at one cent on the
39 Municipal Tax Rate for five years beginning in fiscal year 2015-2016? Once cent on the tax rate,
40 which is equal to \$10 per \$100,000 of assessed value, will yield approximately \$44,400 for the
41 Reserve Fund in fiscal year 2015-2016. The Selectboard will administer the fund after considering
42 recommendations by the Conservation Commission. Since 2010 the Fund has raised \$216,313 from
43 taxation and spent \$118,152 on several recreational, preservation and historical projects. Any
44 acquisition of a parcel of real estate by the town, meaning acquisition of a whole parcel and not solely
45 its development rights, requiring in excess of \$20,000.00 from the reserve fund, will require approval
46 of the voters."

47
48 There was some discussion as to the necessity of the balance and record of expenditures, or if these
49 could be addressed in the report of the Conservation Commission in the annual report. The
50 Selectboard agreed that the Conservation Commission report in the annual report should include the

1 amounts collected by the Conservation Reserve Fund, the amounts spent and for what purposes and
2 the current balance of the fund. The Selectboard agreed to use the previous version of the question for
3 the ballot.

4
5 Mr. Yeates offered a motion to place the following question on the ballot for Town Meeting: “Shall
6 the Town of Richmond continue funding the Conservation Reserve Fund established by the voters in
7 2005, and renewed in 2010, for the purpose of preserving water quality, providing outdoor recreational
8 opportunities, protecting wildlife, and conserving important natural, agricultural and historic
9 resources, with funding maintained at one cent on the Municipal Tax Rate for five years beginning in
10 fiscal year 2015-2016? Once cent on the tax rate, which is equal to \$10 per \$100,000 of assessed
11 value, will yield approximately \$44,400 for the Reserve Fund in fiscal year 2015-2016. The
12 Selectboard will administer the fund after considering recommendations by the Conservation
13 Commission. Any acquisition of a parcel of real estate by the town, meaning acquisition of a whole
14 parcel and not solely its development rights, requiring in excess of \$20,000.00 from the reserve fund,
15 will require approval of the voters.” Mr. Granda seconded the motion and the motion carried 5-0.

16
17 Mr. Hill offered a motion that this question be considered by Australian Ballot, per previous approval
18 of the voters from 2010. Mr. Sander seconded the motion, and the motion carried 5-0.

19
20 The Manager noted the Bank Note should be approved in January.

21 22 Reports from Selectboard and Town Manager

23
24 Ms. Kane noted the Economic Development Committee would meet this coming Friday. The
25 Manager updated the Selectboard on the Greystone Septic issue, and that the weather had delayed
26 some action but he received a recent report that said the septic appeared to be installed according to
27 the approved plan, but something caused it to fail and the designer was exploring what happened. The
28 Manager felt that the town had followed its procedures appropriately in this case. The septic was
29 repaired and functioning, for the time being.

30
31 The Manager noted that there had been no movement on the Cochran Road cell tower. The Manager
32 explained that there was an active plan announced by the Richmond Land Trust to purchase and
33 preserve some of the land around Gillett Pond, currently owned by the Girl Scouts. They were
34 fundraising to make this a reality.

35
36 Mr. Granda said there was an opportunity to draft an RFP for a net-metering renewable energy project
37 for the benefit of the town and he would like to work with the Town Manager to draft this RFP. He
38 felt it may reduce our electric bill by 10%. The Selectboard agreed to proceed as outlined by Mr.
39 Granda. Mr. Granda suggested the town also prepare an RFP for legal services, and Mr. Yeates added
40 professional accountant services also.

41 42 Approval of Minutes

43
44 Mr. Sander offered a motion to approve the minutes of December 1, 2014 with minor edits and was
45 seconded by Ms. Kane and the motion carried 5-0.

46 47 Approval of Liquor License for Hatchet Tap and Table

48
49 The Manager explained that this was the new liquor license for the restaurant taking the place of
50 Bridge Street Café. Mr. Yeates explained that he was satisfied that the operation would not be open

1 late in the evening to cause a nuisance. Mr. Sander offered a motion to approve the liquor license
2 application for Hatchet Tap and Table and was seconded by Mr. Hill and the motion carried 5-0.

3

4 Warrants

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6 The warrants were approved and signed.

7

8 **4. Adjourn**

9 Motion by Mr. Hill to adjourn the meeting at 9:35 p.m. Seconded by Mr. Sander. So voted.