

**R I C H M O N D   S E L E C T B O A R D  
R E G U L A R   M E E T I N G  
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Members Present: Taylor Yeates; Bard Hill; Ashley Lucht; David Sander  
Absent: Chris Granda  
Others Present: Geoffrey Urbanik, Town Manager; Linda Parent, Town Clerk; Donna Lyons; Toby Lyons; Connie Doherty; Jackie Washburn; Bruce and Cara LaBounty; Mary Houle; Peter Pochop; Marshall Paulsen; Wright Preston; Mary O’Neill; Mark Aiken; Betsy Emmerson; Catherine Coggio; Natalie Steen; Christy Witters; Heidi Bormann; Ellen Kane; Lou Borie; Jim Feinson; John Hildebeitel; Frederick Barrett; Gary Bressor; Jean Bressor; Ian Stokes; Nancy Zimminy; Robert Reap; Joy Reap; Ernie Buford; Larry Bohlen; Tom Morreau, CSWD; Mark Carbone; Velma Plouffe; and Ruth Miller was present to videotape the meeting for MMCTV Channel 15.

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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.

Maureen Kangley said that at 4:00 PM the Round Church Bell was pulled by Gary and Lincoln Bressor as a reminder of the horrors of war.

Mary Houle said that Bob Low was a former member of the Conservation Commission, regarding conversation from the previous Selectboard meeting.

**2. Public Hearing: Interim Zoning for Jolina Court**

Ms. Lucht offered a motion to open the public hearing on the Interim Zoning for Jolina Court and was seconded by Mr. Hill and the motion carried 4-0.

The Manager presented a computerized slide show describing the work of the Interim Zoning Committee, their final document, and some changes proposed by the Town Planner, Clare Rock, and attorney Mark Sperry. The members of the Committee to Examine Zoning on Jolina Court were Marshall Paulsen; Heidi Bormann; Christy Witters; Wright Preston Bruce LaBounty for the Planning Commission; and Ann Cousins for the Economic Development Committee. Chris Granda was the non-voting Selectboard member and chair.

The Manager explained that the committee agreed that the Jolina Court area was in need of redevelopment and having a negative impact on the surrounding community. In particular were the two parcels associated with the former creamery, which were not being utilized. The owner of those parcels, Casing Development, LLC (Craig Caswell) wanted to develop but had come to the town before to get zoning changes to allow a mix of uses for the parcel. The committee considered those prior requests as well as other comments from one of their many public meetings on the subject.

1 In summary, the interim zoning measure proposed to have all development proposed as a conditional  
2 use, with the Selectboard handling the hearing and approval of the application. A mix of compatible  
3 commercial and residential uses would be allowed, and development would be limited to the area  
4 outside of the Special Flood Hazard Area except for appurtenances such as parking areas. There were  
5 some modifications to other standards including residential density, setbacks and lot coverage. The  
6 Manager noted that the original document presented to the Selectboard could be modified following  
7 the presentation, and reviewed the suggested changes from the Town Planner and attorney. These  
8 changes were more about form of the document and did not alter the substance of the standards  
9 approved by the committee originally. Following the presentation there were questions and answers.  
10

11 Cara LaBounty asked how the developable area was calculated. Christy Witters explained the area  
12 outside of the Special Flood Hazard Area and how she came up with the acreage outside of that. Ms.  
13 LaBounty asked which version of the Regulations section 6.8 would be used, the current or revised at  
14 the time of the application? The Manager said it should be the version at the time of application,  
15 which could include any revisions between now and that time. Ms. LaBounty suggested we add  
16 language to make that clear.  
17

18 Mr. Yeates suggested that we could change the “+/-“ to “estimated.”  
19

20 Natalie Steen of Landworks asked if the development had to be mixed use. The Manager said it could  
21 be a single use, but not 100% residential. There was a component of minimum commercial area per  
22 residential area.  
23

24 Ms. Steen asked what would happen at the end of two years. The Manager said it was the town’s goal  
25 to make permanent regulations by then, hopefully compatible to what had already been approved in  
26 that time.  
27

28 Betsy Emmerson urged more senior housing.  
29

30 Christy Witters explained that we should have owner-occupied housing instead of apartments.  
31

32 Bruce Bailey said that help with the water bills should also be a consideration for development.  
33

34 Paul Hauf spoke about the density and felt that some existing village density was greater than what  
35 this proposal allows. We need to relax this standard, to allow for higher density.  
36

37 Bruce LaBounty said that this was one of the areas discussed that was contentious since some wanted  
38 more and some wanted less density but we had to come to a middle ground.  
39

40 Heidi Bormann explained that it was a 1/8 acre density (8 residential units per acre) with the age  
41 restricted bonus.  
42

43 Mr. Yeates said he liked the amendments to the document structure made by the Town Planner and  
44 attorney.  
45

46 Ms. Lucht asked why this was less dense than some other development?  
47

48 Christy Witters said that the committee was thinking about mixed use. What they decided to allow  
49 was a 30% bonus for age-restricted housing, up to 24 units.  
50

1 The Manager said the original concept from Landworks was 36 units, and we're allowing 24 units.

2  
3 Ms. Barnard said that the creamery at one time employed over 100 people at one time. She thanked  
4 the committee for their work, but said we needed more residential density.

5  
6 Jeff Forward asked if there was any density bonus for affordable housing, and was answered no.

7  
8 Bruce LaBounty said that the Richmond Market was sort of a model for how development should  
9 happen.

10  
11 Wright Preston said they wanted to balance residential density with commercial enterprise.

12  
13 Cara LaBounty said that we needed to find someone with capability for this project.

14  
15 There was some discussion by the Selectboard. Mr. Yeates asked what should we do with the density  
16 question. Ms. Lucht suggested sticking with what the committee developed. Mr. Hill said it appeared  
17 we had a consensus to support this as written.

18  
19 After some additional discussion, Ms. Lucht offered a motion to close the public hearing and was  
20 seconded by Mr. Hill. The motion carried 4-0.

21  
22 Ms. Lucht offered a motion to adopt the Interim Zoning Report, as amended by the Town Planner and  
23 attorney. Mr. Sander seconded the motion and the motion carried 4-0.

### 24 25 26 **3. Items for Discussion with Those Present**

#### 27 28 **Presentation of Zoning Amendment for Section 6.8 Floodplain**

29  
30 Clare Rock presented the proposed amendments to section 6.8 that would satisfy the review by the  
31 State floodplain personnel. This was not the larger re-write that was still being discussed, but with  
32 pending deadlines for the adoption of the new Digital Flood Insurance Rate Maps it was important to  
33 correct two deficiencies as noted in her memo. The proposed timeline was to present the amendment  
34 to the Selectboard on tonight's agenda, plan a public hearing for June 2<sup>nd</sup>, adopt on June 16<sup>th</sup>, and the  
35 regulations would be in effect on July 7<sup>th</sup>, well before August 4<sup>th</sup>.

36  
37 The Selectboard discussed this and agreed to proceed. The Manager noted that a public hearing would  
38 be on June 2<sup>nd</sup> at 7:30 pm, in Town Center. Mr. Sander offered a motion to set a public hearing on the  
39 proposed amendments to Section 6.8 as presented and was seconded by Ms. Lucht and the motion  
40 carried 4-0.

#### 41 42 **Conservation Commission Recommendation on Willis Property**

43  
44 Ernie Buford was present with other members of the Conservation Commission and the Richmond  
45 Land Trust to explain the Land Trust's request for \$64,000 to assist in the purchase of the Willis Farm  
46 on Route 2. Lou Borie, Wright Preston and Gary Bressor of the Richmond Land Trust presented a  
47 fact sheet on the property, which was a subdivided property formerly owned by the Willis family. The  
48 Reaps had bought the barn and house, and the remaining 22 acres was proposed to be open space for  
49 recreation. A small portion of this property may be turned over to the schools for recreation fields but  
50 the remainder would be passive recreation including sledding and hiking.

1  
2 Ms. Lucht asked how much was in the Conservation Reserve Fund now. The Manager said about  
3 \$195,000 after the Richmond Congregational Church grant. Plus, at year's end, an additional \$44,000  
4 or so would go back into the fund.  
5  
6 Mr. Borie noted there was a December 31<sup>st</sup> deadline on which to close on the property, but a June  
7 deadline for the secondary funding they were seeking.  
8  
9 Mary Houle said there was about 2,000 acres of conserved land and this 20 acres was in the  
10 commercial zone. It seemed foolish to use this money and maybe the 20 acres should be rezoned. She  
11 did not agree with this project.  
12  
13 Wright Preston said when they received an appraisal it was viewed as constrained. Much of the  
14 entrance area is in the floodplain, or the rest had steep slopes. Their appraiser made an assumption  
15 that the best use would be twelve units of housing.  
16  
17 Mark Carbone, the Principal at Camels Hump Middle School, was a proponent of this purchase. He  
18 liked the use of wetlands for educational purposes, since his students had to travel to other locations  
19 now to study them. Since the school was landlocked, this would provide additional land for recreation  
20 and expand fields. There may also be an emergency exit for the bus.  
21  
22 Denise Barnard asked a series of questions to Mr. Carbone, about the number of students and faculty  
23 at the school, and Richmond Elementary. Combined there were over 700 students, teachers and staff  
24 at these locations. Ms. Barnard's point was that there was a need for additional facilities here.  
25  
26 Jeff Forward said he was excited about this opportunity to make the town a better place.  
27  
28 Ms. Lucht asked if the Vermont Housing and Community Board did not approve their funding request,  
29 would they be able to find other funding? Mr. Borie said that they would work to find additional  
30 funding, yes. There was a June 14<sup>th</sup> decision date.  
31  
32 Gary Bressor said there was no backup plan now, but they would definitely seek to replace that  
33 funding.  
34  
35 Jon Kart said he worked with Kidsmart at Camels Hump Middle School and taught students about  
36 ecology, out in the field. He said information is retained better in the field than in the classroom.  
37  
38 John Hammerslough said that Richmond was exploring a better way to get to the park and ride facility  
39 and a path option going through the schools showed an exit onto Route 2 and this could help with that.  
40  
41 Cara LaBounty asked how many acres were we giving to the school? Gary Bressor said it wasn't  
42 known how much but it is a concept that was agreed to. Ms. LaBounty said that the Richmond Land  
43 Trust has used a lot of the Conservation Reserve Fund, to buy lower valued land and urged them to  
44 give the whole parcel to the school.  
45  
46 Lou Borie said that the Bombardier Field was the only project they received money from the town on  
47 since 2009. This property would not come off the grand list, and would pay taxes.  
48  
49 Cara LaBounty said if it only paid 30% of the tax value then the school should just have it.  
50

1 Fritz Martin said that there was a \$55,000 value that the Willis family was giving up, by selling under  
2 appraised value.

3  
4 Denise Barnard said that for the safety of the schools we needed to get an emergency access. She  
5 asked for a delay in being able to discuss an emergency exit, or one used only for buses in the  
6 morning.

7  
8 Mr. Hill asked how does this work with the site improvements? Gary Bressor said that any  
9 improvements would be a "Phase 2" and weren't designed yet. There was nothing that would preclude  
10 putting in a road later.

11  
12 Mr. Yeates said that this could be approved or delayed. He suggested we take this at a later meeting.  
13 Too often the Selectboard makes a decision that they regret and rethink and we need to give this time.

14  
15 Ms. Lucht suggested a site visit, and Mr. Hill agreed. The consensus of the Selectboard was to  
16 schedule a vote on this for May 19<sup>th</sup>. Mr. Hill offered a motion to schedule the vote on this issue for  
17 May 19<sup>th</sup> and was seconded by Ms. Lucht and the motion carried 4-0.

18  
19 Mr. Hill suggested that an egress could be decided down the road. Wright Preston said that building a  
20 road would cost a million bucks.

21  
22 Mary Houle suggested that the public be allowed a walk with the Selectboard on the property.

#### 23 24 Chittenden Solid Waste District Budget

25  
26 CSWD Executive Director Tom Morreau was present to explain the CSWD budget and ask for  
27 approval. Mr. Morreau explained that the most significant change in revenues and expenses was that  
28 the compost business was back online after last year's issues with herbicides. This caused the overall  
29 figures to increase the expenses by 4.3% and revenues by 7.3%. Mr. Morreau also took some time to  
30 explain about Act 148's organic recycling mandate.

31  
32 Ms. Lucht offered a motion to accept and approve the CSWD budget for FY2015 and was seconded  
33 by Mr. Hill and the motion carried 4-0.

#### 34 35 VCEDF Grant for Firehouse Solar Project

36  
37 Jeff Forward presented a revised grant application and project description for the solar project on the  
38 firehouse roof. He said he was working here as a resident and not in official capacity. He also noted  
39 that Chris Granda, who wasn't here this evening, was thinking about being a part of this, outside of his  
40 official capacity as Selectboard member as well. He would recuse himself from any voting or official  
41 action on this.

42  
43 Mr. Forward explained that the State had a grant that would fund 50% of the costs of installing solar  
44 panels. These would be 26kw of panels. He and Chris Granda would fund the other 50% and the  
45 town would improve the roof, which would include a new roof surface and additional bracing to carry  
46 the weight. The investors would get the amount of the energy credit from the town for ten years, and  
47 then they would sell the town the panels for \$1. There was virtually no risk to the town and hopefully  
48 this would be a reliable revenue source for the town afterwards. This may be a reliable model for  
49 other similar projects afterwards. He requested that the Town Manager be authorized to sign the  
50 application.

1  
2 Chief Tom Levesque asked if we put a standing seam metal roof on the firehouse, how would we  
3 handle the snow sliding off the front? Mr. Forward said that the roof was ultimately the town's  
4 responsibility but there were ways to mitigate sliding snow.

5  
6 Mr. Sander asked what happened to snow on solar panels? Mr. Forward said that the panels heat up  
7 and the snow usually slides off. Mr. Sander asked what happens now? Chief Levesque said they have  
8 an asphalt shingle roof that does not slide snow, and they have gutters.

9  
10 Mr. Forward was hopeful that this project could be done this summer.

11  
12 Bruce LaBounty asked if there was a cost-benefit analysis for Richmond? When do we break even?  
13 He didn't like private citizens making money off of the town buildings.

14  
15 Mr. Forward said that he expected the project to generate about \$5,000 in energy credits. After ten  
16 years, the town would get that benefit at whatever rate existed at that time.

17  
18 Maureen Kangley said that she put a new asphalt roof on her house about ten years ago, and wants it to  
19 last another ten years. She was not in favor of this project.

20  
21 Jeff Forward said that this roof was a good orientation for solar and would be beneficial to the town.

22  
23 Mr. Yeates said the question for tonight was do we apply? This did not have to endorse the project.

24  
25 Mr. Hill said that the public/private issues were a concern. There was some discussion on this.

26  
27 Cara LaBounty said that she feels that a Selectboard member is making money off of the town. With  
28 interest rates so low, why use private money? Also, the roof expense was unnecessary and not a good  
29 idea.

30  
31 Mr. Yeates returned to the original question of whether or not to approve application. He also had  
32 concerns about the cost of the roof and the potential conflict but he was willing to authorize the  
33 application at least, but not the project yet.

34  
35 Mr. Sander offered a motion to authorize the Manager to sign the grant application and was seconded  
36 by Mr. Hill.

37  
38 Mr. Hill said that he wanted to see a pro-forma return on investment analysis inclusive of engineering  
39 costs, roofing costs, staff costs.

40  
41 The motion carried 4-0.

#### 42 43 **4. Other Business**

##### 44 45 **Certification of Bond Vote from Town Meeting**

46 The Manager explained that this was necessary to certify the vote from Town Meeting day on the \$1.5  
47 million bond for the water storage tank and chlorine contact time improvements. There had been an  
48 error in the number of times the vote warning was published, however, with the other notice  
49 requirements being met and the broadcast of the additional meetings where the bond proposal was  
50 discussed and announced, this resolution would certify that the legal requirements had been fulfilled.

1  
2 Ms. Lucht offered a motion to approve the resolution certifying the bond vote for the water storage  
3 tank and chlorination improvements from March 4, 2014 and was seconded by Mr. Hill. The motion  
4 carried 4-0.

5  
6 Public Safety Working Group

7  
8 Mr. Yeates explained that there was a need to discuss emergency services in town and he wanted to  
9 form a group to explore the long-term needs of the town.

10  
11 Mr. Hill agreed. He asked if the firehouse was going to be needed for another 40 years if a new  
12 combined facility was proposed.

13  
14 Amendments to CDL Drug Testing Policy and Reasonable Suspicion Testing

15  
16 The Manager explained that last year, the Selectboard adopted VLCT's model CDL drug testing  
17 policy, and this year they proposed some minor amendments to that policy. The second policy was a  
18 model reasonable suspicion policy. The current personnel guidelines prohibited drug and alcohol use  
19 on the job, but there was little for supervisors to go on as far as training and where to confirm  
20 suspicions. This policy corrected that.

21  
22 Ms. Lucht offered a motion to adopt both the revised CDL Drug Testing Policy and the Reasonable  
23 Suspicion Policy and was seconded by Mr. Sander. The motion carried 4-0.

24  
25 Financial Reports

26  
27 The financial reports were reviewed.

28  
29 Appointments to the Water Commission

30  
31 The Manager explained the one-year terms, to expire on April 30<sup>th</sup> of 2015. Ms. Lucht noted that for  
32 Selectboard members, that may be too late. The Manager said that this could be addressed at a later  
33 time, however, there needed to be a standard on when terms would expire.

34  
35 The names were: Selectboard = Ashley Lucht, Bard Hill, David Sander  
36 Water Customers = Bruce Bailey and Robert Fischer

37  
38 Terms to run from May 1, 2014 to April 30, 2015

39  
40 Ms. Lucht offered a motion to appoint Water Commissioners as outlined and was seconded by Mr.  
41 Hill. The motion carried 4-0.

42  
43 Cell Tower Discussions

44  
45 The Manager noted that AT&T has formally applied for the Jericho Road facility. The town had 21  
46 days to respond, which was due on May 21<sup>st</sup>. The Manager said that the issues with this application  
47 were the same as with the VTel tower, which were the zoning regulations on aesthetics, the zone,  
48 tower height and possible environmental issues.

49

1 Ms. Lucht questioned whether we should object to this tower or not. The Manager suggested polling  
2 on Front Porch Forum to see what the public might want, since there had been very little comment on  
3 this tower so far.

4  
5 Mr. Yeates agreed. This would come back for discussion on the 19<sup>th</sup>.

#### 6 7 Reports from Selectboard and Town Manager

8  
9 The Manager reported on Highway work on Wes White Hill, and that this was IIMC Municipal  
10 Clerk's Week and recognized Town Clerk Linda Parent for all of her hard work. He added that he was  
11 going to submit the Audit RFP this week as well.

12  
13 Mr. Yeates said that he read the Selectboard Rules of Procedure, previously adopted by an earlier  
14 Selectboard, and it requires that three affirmative votes be cast in order to approve a motion. He noted  
15 that this was an issue at the previous meeting regarding minutes, and these would be re-voted tonight.

#### 16 17 Approval of Minutes

18  
19 Ms. Lucht offered a motion to approve the minutes of April 7, 2014; April 11, 2014; and April 21,  
20 2014, with minor edits. Mr. Hill seconded the motion and the motion carried 4-0.

#### 21 22 Warrants

23  
24 The warrants were approved and signed. It was agreed that Chris Granda would review the June  
25 warrants, and Bard Hill would approve the July warrants.

#### 26 27 Approval of Right of Way work permit for Farr

28  
29 The Manager explained that this was a permit from the Farris to work in the Right of Way for  
30 Huntington Road, if needed, to connect their water source to a new home. If they could connect to the  
31 water without using the ROW, then this permit was not needed, but this approval was precautionary.

32  
33 Ms. Lucht offered a motion to approve a ROW work permit for Farr and was seconded by Mr. Hill and  
34 the motion carried 4-0.

35  
36 James O'Brien came in and complained that last year he had a boundary dispute with his neighbor,  
37 Denise Curley. At that time he was threatened with fines of \$100 a day if he did not move his sheds.  
38 He said that a recent survey of the property showed the line was where he thought it was, not his  
39 neighbor, and his neighbor had built a fence on his property. He wanted it removed or her fined.

40  
41 Mr. Yeates said this would be taken up on the 19<sup>th</sup>.

#### 42 43 **5. Adjourn**

44 Motion by Ms. Lucht to adjourn the meeting at 9:30 p.m. Seconded by Mr. Hill. So voted.