

**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  
A u g u s t   1 7 ,   2 0 1 5   M I N U T E S**

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Members Present:    David Sander; Ellen Kane; Bard Hill; Lincoln Bressor;

Absent:                 Taylor Yeates

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Others Present:     Geoffrey Urbanik, Town Manager; Ian Bender; Bruce LaBounty; Christy Witters; Heidi Bormann; Wright Preston; Sharon Dwire; Wendell Dwire; Paul Hauf; Bill and Julie Escholz; Tim Rittlin; Gary Bressor; Cathleen Gent; Jeremy Hoff; Charles Senick; and others; and Ruth Miller was present to videotape the meeting for MMCTV Channel 15.

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David Sander called the meeting to order at 7:10 PM.

**1. Welcome and Public Comment**

Mr. Sander asked if there were any comments from the public.

Ian Bender thanked the Richmond Highway Department for replacing a failed culvert on Dugway Road near his home, and thanked the Richmond Police Department for working on Cochran Road today.

**2. Items for Presentation with Those Present**

Richmond Creamery

Brendan O’Reilly and Josi Kytle were present to discuss development concepts for the creamery parcel. Their company was known as Buttermilk LLC, but Mr. O’Reilly said he was a principal of Peak Properties and Gristmill and he built the Energy Mill net-zero building in Waterbury. They presented plans for the creamery, which generated significant discussion. Peak Properties had not yet purchased this property.

Ms. Kytle provided a computer presentation on their development concept and how it met with the interim zoning regulations, and where it did not. Ms. Kytle focused on the difficulty of cleanup as well as the amount of development they wanted to see on the site which was about 70,000 square foot of mixed use development at a roughly 60% commercial 40% residential ratio. They reviewed parking requirements and said that the suggested parking required much more space than they thought was necessary and they wanted to utilize part of the floodplain area for parking and solar panels.

The public had many questions, especially on building height, the need for parking and traffic flow. Lincoln Bressor asked how many buildings would be the maximum of 38 feet, and Ms. Kytle said only one.

Sharon Dwyer said that the old creamery used to employ 100 people and traffic wasn’t an issue but the new development needed to be pedestrian friendly.

Cathleen Gent asked what Brownfields funding was available. Ms. Kytle said they were applying for BERA (Brownfields Economic Revitalization Alliance) funds from the State.

1 Gary Bressor said that he had seen a version of this a few weeks ago (through the Richmond Land  
2 Trust) but liked the changes to the plan since that time. He said the town should hold the original  
3 residential numbers and we need as much commercial space as we can get. Higher density could be a  
4 precedent for the rest of the village.

5  
6 Paul Hauf said that under our current zoning, you can't even build our existing neighborhoods  
7 anymore. He said there is a desire for people to live closer together than out in the woods.

8  
9 Wright Preston said that the former interim zoning committee needed to look at this. They were a  
10 diverse group and in the end they came up with a compromise. He felt that any changes should be  
11 considered in the same way. Brendan O'Reilly agreed on this concept.

12  
13 Bruce LaBounty asked how close this concept was to a real final plan. He was concerned that some  
14 changes would be considered now but not include all changes in the final plan. Mr. O'Reilly said that  
15 this was close, the only change would be to set a 60% commercial to 40% residential development  
16 ratio that worked.

17  
18 Christy Witters said that she served on the interim zoning committee and felt that some changes were  
19 made that were unique to the site but the residential density was kept consistent with other parts of the  
20 village. She asked how do we know how many units are appropriate? This bump up was a very big  
21 ask and would change the character of downtown. The lack of purchasable units is an issue here.

22  
23 Mr. Sander brought the issue back to the Selectboard. There was quite a bit of discussion on  
24 residential density and parking. The Selectboard agreed that a public process to propose changes to  
25 the current interim zoning was necessary.

26  
27 The conclusion of this item saw the Interim Zoning committee reactivated to consider amendments  
28 requested by Peak Properties for 1) higher residential density of perhaps up to 33 units and 2) reduced  
29 parking requirements. The new Interim Zoning review committee would be Selectboard members  
30 Ellen Kane and Lincoln Bressor, with Bruce LaBounty, Heidi Bormann, Christy Witters, Wright  
31 Preston and Marshall Paulsen. Mr. Hill offered a motion to that effect and was seconded by Mr.  
32 Sander and the motion carried 4-0. The first meeting of this committee would be August 24<sup>th</sup>.

### 34 **3. Public Hearings**

#### 35 Ordinance 2015-04 Animal Control Ordinance

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38 Mr. Hill offered a motion to open the public hearing for Ordinance 2015-04, Animal Control and was  
39 seconded by Mr. Bressor and the motion carried 4-0.

40  
41 The Manager explained this was a replacement of the existing ordinance that clarified nuisance issues  
42 and who was responsible for responding to complaints about animals.

43  
44 There being no further comments, Mr. Sander closed the public hearing.

45  
46 Ms. Kane offered a motion to adopt Ordinance 2015-04, Animal Control, and was seconded by Mr.  
47 Bressor and the motion carried 4-0.

### 48 **4. Other Business**

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1 The Selectboard agreed to defer items IIIa and IIIb to the September 8<sup>th</sup> agenda.

2  
3 Riverview Commons Discussion

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5 Mr. Hill explained that during the July 23<sup>rd</sup> meeting with the Water Commission, a number of issues  
6 came up from the residents there that were unrelated to water, but more related to public health and  
7 safety, and quality of life issues. Some of these complaints dealt with finding discarded needles and  
8 other things on the playground, standing water near the playground and some general complaints about  
9 park conditions. Some of these items should be a Selectboard concern, and others may be addressed  
10 through conversations with the owner of the park and the State's regulatory body for mobile home  
11 parks. There was discussion about the issues and how to address them. The Selectboard agreed that  
12 requesting a meeting of the interested parties first was the best way to address the park's issues. The  
13 Police would be able to respond to some concerns and the town's Health Officer would try to address  
14 the standing water. Following this, the Selectboard could arrange to meet with residents in the park to  
15 talk about these issues and what progress has been made on addressing them, and what more needs to  
16 be done.

17  
18 Palmer Lane

19  
20 The Manager explained the issue of Palmer Lane. Recently, the Development Review Board granted  
21 preliminary approval to a subdivision proposed by Patricia Gilbert. This subdivision proposes to  
22 utilize Palmer Lane for access, and the Manager was questioned by the Planning and Zoning office  
23 about whether or not there was a need for a new access permit, to be granted by the Selectboard.  
24 There was some confusion over this road amongst our staff and clarification was needed. Not  
25 knowing the answer, the Manager researched this and found out that Palmer Lane is a Class 4 highway  
26 in Richmond, and does not conform to typical Class 3 standards in either ROW width or travel lane  
27 width. A previous Selectboard granted access to the Gilberts through a letter from October, 1995  
28 where it was made explicit that this road was a Class 4 highway and the town would not provide  
29 regular or Winter maintenance. Additionally, future access would have to be approved by the  
30 Selectboard.

31  
32 In light of this documentation, the Manager explained that the applicant would need to come to the  
33 Selectboard on September 8<sup>th</sup> to request permission to use another 150 feet of Palmer Lane (to be  
34 called Palmer Road, now that more than three homes are there), and the Selectboard should clarify that  
35 the Town will continue to designate Palmer Lane as a Class 4 highway and not commit to regular  
36 maintenance or Winter maintenance of any part of Palmer Road. Additionally, consideration must be  
37 given to the existing maintenance agreement between the various property owners and how that will  
38 include the future lots, to ensure their continued use of the Class 4 road as they have enjoyed for the  
39 past 20 years or more.

40  
41 The Selectboard discussed this item and agreed that Palmer Road was likely to remain as it is, and the  
42 town would not commit to regular or Winter maintenance until the road conformed to a Class 3  
43 specification. As long as this was understood, the applicant may be able to proceed but a final  
44 determination would be made on September 8<sup>th</sup>.

45  
46 Reports from Selectboard and Town Manager

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48 The Manager noted the Budget Status and Police Reports. The Manager explained the Chittenden  
49 Solid Waste District lease on Rogers Lane. Chittenden Solid Waste has been renting a spot on Rogers  
50 Lane for more than 20 years, for \$1 per year. The lease may have technically expired, but CSWD is

1 exploring a renewal proposal. The site is in the flood plain, so further development is essentially  
2 impossible and options are limited.

3  
4 The Culvert Change Order from last meeting was reported to be \$5,466.65, but it was actually only for  
5 an additional \$2,700 – the first number was the final, full cost of the item but erroneously reported as  
6 just the change order.

7  
8 The first meeting of the Public Safety Committee was August 5<sup>th</sup>. The Committee is dedicated to  
9 finding a solution to housing our emergency services on one site and is exploring location options.  
10 The Selectboard had heard of some consolidation activities for emergency services in Chittenden  
11 County, and asked the Town Manager to research this and report back. This may be something that  
12 Richmond should consider joining.

13  
14 The Manager also explained that the Town Plan Steering Committee was having a Community Vision  
15 event on September 12<sup>th</sup> at Camels Hump Middle School. This vision event would take the feedback  
16 from the Summer and transform it into a Vision Statement. The Steering Committee was hoping for a  
17 large turnout for this event.

18  
19 The Manager then noted that VLCT's annual Town Fair event was October 8<sup>th</sup> and if Selectboard  
20 members wished to attend, please let him know and he would have them registered.

#### 21 22 Approval of Warrants

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24 The warrants were reviewed and approved.

#### 25 26 Approval of Minutes

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28 Mr. Bressor offered a motion to approve the minutes of August 3, 2015 and was seconded by Mr. Hill.  
29 The motion carried 4-0.

#### 30 31 Approval of Purchase Orders

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33 Mr. Hill offered a motion to approve Purchase Order 2521 to Cargill Salt for Winter Salt in the amount  
34 of \$72,193.85 and was seconded by Mr. Bressor. The motion carried 4-0.

35  
36 Mr. Bressor offered a motion to approve Purchase Order 2523 to Newton Construction for 240 hours  
37 of tri-axle trucking in the amount of \$18,720 and was seconded by Ms. Kane and the motion carried 4-  
38 0.

39  
40 Mr. Hill offered a motion to approve Purchase Order 2525 to Wayne Russin for asphalt patching on  
41 Cochran Road and Wes White Hill in an amount of \$25,963 and was seconded by Mr. Bressor. The  
42 motion carried 4-0. The Manager explained this would be for flood damage repairs, and partially  
43 reimbursable by FEMA.

#### 44 45 Executive Session

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47 Mr. Sander explained an executive session was necessary to discuss the Town Manager's evaluation.

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49 Ms. Kane offered a motion to enter Executive Session to discuss personnel matters pertaining to the  
50 Town Manager's evaluation at 10:10 pm and was seconded by Mr. Bressor. The motion carried 4-0.

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2 A motion was made by Ms. Kane to adjourn the executive session and reconvene the regular session at  
3 11:00 pm and was seconded by Mr. Bressor. The motion carried 4-0.  
4

5 **5. Adjourn**

6 Motion by Ms. Kane to adjourn the meeting at 11:00 p.m. Seconded by Mr. Bressor. So voted.