

**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 p r i l   1 7 ,   2 0 1 7   M I N U T E S**

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Members Present:    Lincoln Bressor; Bard Hill; Stephen Ackerman; David Sander

Absent:                    Steve May

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Others Present:    Geoffrey Urbanik, Town Manager; Clare Rock, Town Planner; Mary Houle; Maureen Kangley; Sharon Dwire; Aaron Marcotte; Erin McGuire; Detlev Hundsdoerfer; Josi Kytte; Julie Eschholz; John Grenier; Lars Whitman; Jason Gifford; Susan Whitman; Amy Gifford; and Fisher Wagg was present to videotape the meeting for MMCTV Channel 15.

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Lincoln Bressor called the meeting to order at 7:00 PM.

**1. Welcome and Public Comment**

Mr. Bressor asked if there were any comments from the public, but there was none.

**2. Items for Discussion with those Present**

Richmond Community Kitchen LLC – Application #17-018 for Conditional Use and Site Plan Review for adding retail, food processing/light industry, personal service, and fast food/take-out uses to the existing restaurant use and add an 10’x20’ accessory structure (walk-in cooler) at the rear of the building located at 13 Jolina Court, Richmond. Property Owner Abae & Hundsdoerfer, Parcel ID #JC 0013, located within the Jolina Court Interim Zoning District

Amy Gifford and Susan Whitman were present to discuss their plans for a new restaurant to replace Sonoma Station. In addition to the restaurant, there were other activities including take-out meals. Since this property fell under the Interim Zoning for Jolina Court, the Selectboard was deciding the application. Mr. Bressor opened the hearing.

The applicants explained their new business proposal, which was made in advance meals for delivery and pickup, along with catering and nutrition education, with some event rental space. The discussion explained the nature of the food business, and shifted to parking requirements and the outdoor cooler.

The applicants explained that there were only four parking spots in front of the building, which were partially extended into the Bridge Street right of way. The applicants pointed out that this building had functioned as a restaurant like this for 20 years, and hoped that an additional two spots could be held for them in the new parking lot being developed by Buttermilk. The Selectboard recognized the restrictions on the lot but pondered whether two spots would be necessary as conditions, given the future of the business. Highway Foreman Peter Gosselin had written about the parking in front, and noted that he did not see any issues with the use of the right of way for continued parking but if in the future the town wanted to install sidewalks, drainage or utilities then the parking may be terminated.

The outside cooler would be considered an accessory structure and would fall within the setbacks. There was some concern from the public about the noise level of the compressors and fans for the cooler. The Selectboard agreed that additional information (technical details on sound) was necessary on this, and suggestions for screening or attenuation were requested.

1 After some further consideration and discussion the board viewed the project favorably but requested  
2 more time to consider conditions and obtain the information requested.

3  
4 The board agreed to carry the hearing to the May 1<sup>st</sup> meeting at 7:00.  
5

6 Buttermilk, LLC - Application # 17-025 for amending the approved site plan (for re-configuring  
7 parking lot, stormwater and utilities) at 74 Jolina Court and 125 Bridge Street, Richmond. Property  
8 Owner Buttermilk LLC, Parcel ID #JC0074 & BR0125 located within the Jolina Court Interim Zoning  
9 District.

10 Josi Kytly of Buttermilk, LLC and her engineer, John Grenier, were present to discuss an amendment  
11 to their prior conditional use approval under the Jolina Court interim zoning. The amendments were  
12 primarily to redesigned and improved storm water drainage and the parking lot.

13 Mr. Sander offered a motion to open the hearing on this matter and was seconded by Mr. Ackerman,  
14 and the motion carried 4-0.

15  
16 Ms. Kytly recapped the prior approval and the outstanding conditions. The proposed amendments  
17 changed the storm water flow into existing channels on the property and the parking lot was increased  
18 in size towards the rear of the project. Ms. Kytly mentioned possibilities for solar panels over some of  
19 the parking, and the possibility of a license to use the railroad's right of way for parking also. When  
20 asked, Ms. Kytly offered to include two spaces for use by the Blue Seal Feeds building, and Richmond  
21 Community Kitchen, as discussed earlier.

22  
23 There was a discussion on the conditions outlined in the staff memo, and it was noted that staff  
24 concerns and the town's engineering review by East Engineering largely felt their concerns were  
25 addressed in this proposed amendment.

26  
27 After discussion, Mr. Bressor read conditions of approval:

- 28  
29 1. Conditions 1, 2, 4, 8, 9, 10, 12 – 16 from Final Decision for Application 16-114 are still applicable.  
30 2. Applicant shall submit a revised Phase I Plan- Enlargement and Phase 1 Plan – site details showing the  
31 following:  
32 a. GMP conduit  
33 b. Minor changes/added details as per Water Resources comments provided on 4/12 provided by  
34 the Town Planner  
35

36 There was additional discussion on the storm water, which Mr. Grenier explained.

37  
38 Mr. Hill offered a motion to close the public hearing and was seconded by Mr. Sander and the motion  
39 carried 4-0.

40  
41 Mr. Sander offered a motion to approve the amendment to the conditional use approval, including the  
42 conditions read by Mr. Bressor earlier, and was seconded by Mr. Hill and the motion carried 4-0.  
43

### 44 **3. Other Business**

45  
46 Town Meeting Follow up  
47

1 The Selectboard discussed a list of post-town meeting follow up. They agreed to schedule a  
2 discussion on personnel policy updates in early June. Mary Houle suggested that pay modifications  
3 for education should be shown to be directly relevant to the job at hand.

4 The board also agreed to move forward on an email server for the town, to provide employees and  
5 board members with addresses for professional use. The board decided that Richmond Rescue was  
6 moving forward with their own capital plans and a joint building at this time was not the direction to  
7 proceed. It was agreed that the Town Manager could provide a report in the annual report. Also,  
8

9 The board was not interested in modifying Town Meeting dates or times just yet and decided that the  
10 budget was too important to vote by Australian ballot at this time. The board decided that a budget  
11 appropriation for the fireworks would be discussed with the Parade and Fireworks Committee  
12 following July 4<sup>th</sup>. The building assessment was considered for the Town Center building and Library,  
13 as was future asset management improvements.  
14

#### 15 Local Motion Pop-Up Projects

16  
17 The Manager explained that the Selectboard should set parameters on the proposed pop-up pedestrian  
18 and street improvements presented by Local Motion at the last meeting. The board reviewed the  
19 presentation and agreed that on slide one the proposed sidewalk improvements were acceptable but on  
20 slide 2, the planters at the cross walk were acceptable but not the 7 foot sidewalk at the bank. For slide  
21 3, the Depot Street/Pleasant Street crosswalk was acceptable if it did not eliminated a parking space on  
22 Bridge Street but on slide 4 the crosswalk at Jolina Court, and the Jolina Court intersection  
23 improvements were acceptable but the town would not do the Railroad Street intersection changes.  
24

#### 25 Reports from Selectboard and Town Manager

26  
27 The Manager noted the Police Report and the budget status.  
28

29 The Manager noted that the East Main water line project had started back up and the contractor would  
30 be completing the last section on Lemroy Court and then completing property restoration over the next  
31 few weeks. The Manager also explained that the State Agency of Transportation was concerned about  
32 the sidewalk and curb project that the town would like completed this year. He was meeting in  
33 Montpelier the next day to discuss options to allow the town to move forward, since sidewalks  
34 especially were needed following construction.  
35

36 The Manager reported that he had spoken with the Town's land use attorney about interim zoning.  
37 The Jolina Court Interim Zoning was set to expire in late May, and the 2012 Town Plan had already  
38 expired which negated any possible amendments to zoning until a new plan was adopted. However,  
39 the questions were, would interim zoning be possible, would it be possible to enact a new or revised  
40 interim zoning measure for the Jolina Court area? The legal opinion was yes, interim zoning was  
41 designed to allow temporary bylaw changes that were otherwise impractical through the normal legal  
42 process. The Manager suggested that the Selectboard consider re-enacting the interim zoning  
43 committee to review and recommend whether or not to keep an interim measure in place.  
44

45 There was some discussion by the board and they were agreeable to exploring this option once again,  
46 following the expiration of the current interim zoning measure.  
47

48 The Manager mentioned that the Fire Chief requested a reallocation of approximately \$8,000 of  
49 unspent funds in the pump inspection and fire hose inspection from the current budget to be spent on

1 equipment. The board was concerned about the testing not being done, but the chief's letter noted that  
2 testing need not be an annual thing and the Selectboard approved the reallocation of the funds.

3  
4 Approval of Warrants

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6 Warrants were reviewed and approved. A question was asked about the need to pay \$900 for towing  
7 the fire truck from one shop to another, and the Manager explained that it was for a second opinion on  
8 the condition of the engine. In this case, it was determined that the engine had a cracked cylinder head  
9 and the department was planning to discuss this at the May 1<sup>st</sup> meeting.

10  
11 Approval of Minutes

12  
13 Mr. Hill offered a motion to approve the minutes of April 3, 2017 and was seconded by Mr.  
14 Ackerman. The motion carried 3-0-1 with Mr. Sander abstaining.

15  
16 Access Permit 17-015 for 4 Cochran Road

17  
18 Mr. Bressor recused himself from this item and stepped away from the dais.

19  
20 Mr. Hill explained that this was a permit to create a new access for the home on 4 Cochran Road,  
21 which was being converted into a duplex, and the garage removed. Mr. Ackerman offered a motion to  
22 approve the access permit 17-015 for 4 Cochran Road, and was seconded by Mr. Sander and the  
23 motion carried 3-0.

24  
25 Mr. Bressor returned to the dais.

26  
27 Executive Session

28  
29 Mr. Bressor explained that there was a need to discuss contract negotiations regarding the NEPBA  
30 contract in executive session.

31  
32 Mr. Sander offered a motion to find that premature public knowledge about the NEPBA contract  
33 negotiations would cause the town or person to suffer a substantial disadvantage. Mr. Hill seconded  
34 the motion and the motion carried 4-0.

35  
36 At 9:35 PM Mr. Sander offered a motion to enter an executive session to discuss the contract  
37 negotiations, under section 1 VSA 313 (a)(1) with the Manager present, and Mr. Ackerman seconded  
38 the motion.

39  
40 Before the Selectboard voted, Maureen Kangley urged the Selectboard to get rid of commuter parking  
41 at the Depot Street parking lot. The motion carried 4-0.

42  
43 At 10:05 PM Mr. Ackerman offered a motion to adjourn the executive session and reconvene the  
44 regular session. Mr. Sander seconded the motion and the motion carried 4-0.

45  
46 No further action was taken.

47  
48 **4. Adjourn**

49 Motion by Mr. Ackerman to adjourn the meeting at 10:05 p.m. Seconded by Mr. Hill. So voted.