

**RICHMOND SELECTBOARD
REGULAR MEETING
September 5, 2017 MINUTES**

Members Present: Lincoln Bressor; Bard Hill; Steve May; David Sander

Absent: Steve Ackerman

Others Present: Geoffrey Urbanik, Town Manager; Mary Houle; Heidi Bormann; Guy Roberts; and Ruth Miller was present to videotape the meeting for MMCTV Channel 15.

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

Buttermilk, LLC Fee Waiver Request

Mr. Bressor introduced the issue and recapped from the last meeting. The Manager explained his research through a memo which read that at the August 21st meeting Josi Kytle of Buttermilk, LLC requested a waiver of the building permit fees associated with the newly approved building for parcel BR0125, the Selectboard wanted answers to several questions. Those answers are below:

- 1) What was the square footage of the buildings on parcels BR0125 and JC0074 prior to demolition?

Based on research, the buildings on JC0074 had a total of 16,482 square feet and BR0125 had a total of 4,733 square feet. Both numbers take into account gross floor area beyond the buildings' footprint. The new building proposed by Buttermilk would have 14,400 square feet of gross floor area – leaving a positive difference of 6,815 square feet.

- 2) Did Dan Noyes get a permit fee waiver for the Richmond Market?

No.

- 3) Other items, issues?

Yes – first, the permit fee would be calculated to be \$5,470 to include the Fire Impact Fee and recording fee. I believe that Buttermilk should take this into account in their request.

We have no other precedent for waiving fees on a project as unique as this. In fact, the only permit fee waivers have been for other unique situations such as disaster recovery from floods, fires, etc. and only on a case by case basis, however, the zoning officer has typically waived Impact fees for like replacement structures. The zoning officer cannot waive permit fees – only the Selectboard can do that.

For the past 3.5 years the Selectboard, along with members of the public, the Planning Commission, etc., have taken extraordinary steps to redevelop this property. As it stands, those steps have been successful and redevelopment is under way. The area was declared to be blighted, and a variety of grants have been obtained by Buttermilk and the Town and cleanup is mostly complete with the expected certification only months away. There still exists a voter-approved measure to negotiate a tax stabilization agreement for these properties, which has not yet been broached. This area has been handled in unique ways since 2014 and it is conceivable that a unique fee waiver could be done without setting a broad precedent for waiving fees under normal circumstances. The board should

1 have a plan to link this waiver to development across both parcels, combined or not, and make it clear
2 from the beginning what the expectations are as far as how fees will be handled on future development
3 of the remaining parcel.

4
5 Mr. Sander said that whatever the board decides would be precedent setting. Mary Houle suggested
6 couching the decision so that it was clear what meant.

7
8 Mr. May said that on one hand the town has been accused of not being friendly to business but on the
9 other they are in this to make a profit.

10
11 Heidi Bormann noted that Dan Noyes did not get a waiver of fees for the market. Ms. Bormann asked
12 if the town knew what they had spent so far, and the Manager read from Ms. Kytly's report from
13 August 21st. There was also the issue of available tax stabilization on the property.

14
15 There was discussion on the board on this request.

16
17 Mr. Bressor said he didn't support this fee waiver, but appreciated all that they were doing for the
18 town. Mr. May agreed, and Mr. Hill offered a motion to approve the permit and impact fee waiver
19 request from Buttermilk, LLC and was seconded by Mr. May. The motion failed 0-4.

20
21 Mr. Sander said that he supports the vision of the project and is glad to have the property cleaned up.

22 23 Route 2 Bike Lanes Discussions

24
25 Mr. Hill explained that he had contact the Regional Planning Commission about making this a priority
26 and including it in the regional plan. He noted that the pinch points in road width and right of way
27 constraints were called out by VTrans but the Regional Planning Commission can help address these
28 and identify needs for correction. The shoulder width was more narrow than what was specified in
29 VTrans' standards and needed to be changed.

30
31 Mr. Hill said the town needed to push VTrans to widen the road shoulders to four feet, or as close to it,
32 in all locations. There was discussion about a concentrated effort to bring this and several other Route
33 2 construction issues to the attention of VTrans, and who would attend. The board agreed that Mr.
34 Hill and Mr. Bressor would represent the board, the town's legislature representative Marcia Gardner
35 would be invited, and the Manager.

36
37 Mary Houle asked the board to consider at what cost and at what benefit for this project. Heidi
38 Bormann asked if buses would come to the village instead. The board agreed to a future meeting on
39 this.

40 41 **3. Public Hearing: Amendment of Zoning Fees**

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43 Mr. Sander offered a motion to open the public hearing on the amendment to the zoning fee schedule.
44 Mr. May seconded the motion and the motion carried 4-0.

45
46 The Manager explained the fee amendment.

47
48 Mr. May asked how often the town looked at this fee schedule. The Manager said there was no set
49 time but probably every 4 to 5 years.

50

1 Mary Houle suggested that the Planning Commission review the schedule on a set amount of time.
2 The board agreed.

3
4 Mr. Hill offered a motion to close the public hearing and was seconded by Mr. May and the motion
5 carried 4-0.

6
7 Mr. Sander offered a motion to approve the amendment to the zoning fee schedule and was seconded
8 by Mr. Hill and the motion carried 4-0.

9 10 **4. Other Business**

11 12 All Earth Rail

13
14 Mr. Bressor explained that a company started by David Blittersdorf wanted to start up commuter rail
15 in Vermont. The Manager explained that All Earth Rail had purchased Budd Rail Cars from the
16 Dallas commuter organization and wanted to start commuter rail from St. Albans to Montpelier, using
17 local stops along the way. Richmond had no local stop currently, but was on the rail route and had
18 been invited to a Vermont Rail Action Network meeting in November. The Manager asked if board
19 members were interested.

20
21 Mr. Hill talked about commuting and Richmond's location and how important this could be to the
22 future of the town. Mr. Bressor agreed that this was important and he supported the idea. The board
23 discussed the issue and agreed that David Sander and Steve May would attend the VRAN conference
24 in November and express Richmond's interest in the project.

25 26 Personnel and Wage Policy Discussions

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28 Mr. Bressor explained that this material was not ready, and would be deferred to the next agenda.

29 30 US 2 Bridge Replacement over Interstate 89

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32 This week the Manager received notice that the State Agency of Transportation is preparing to conduct
33 a scoping study to either repair or replace the bridge on Route 2 that crosses the interstate just east of
34 the Fire Station. This is a significant project in either case. A similar Route 2 bridge in Montpelier is
35 being replaced and the scope and pace of construction are large and slow. A similar project here in
36 Richmond would cause significant delay and disruption of the traffic patterns.

37
38 The Manager included the survey in a memo to the board so that we can get started on informing the
39 public and talking about what's important to us. In the end, we want safe and functional transportation
40 infrastructure and hopefully we'll be able to accomplish the best fit for Richmond.

41 Mr. May said he could see this in connection with other Route 2 needs, and the need to bring the
42 town's concerns to VTrans. The board agreed that a road closure here would be difficult for
43 Richmond for any length of time. The similar bridge replacement project in Middlesex was known to
44 the board, and had gone on for well over a year and still was not complete.

45
46 The Board agreed to circulate the concerns survey and include this issue with other VTrans topics for
47 the upcoming meeting.

48 49 Reports from Selectboard and Town Manager

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1 The Manager noted the police report. The Manager reported tha the Bridge Street construction had
2 wrapped up, although more paving was expected. The water line work at Jolina Court was complete
3 although the Railroad Street work was not attempted due to time concerns, and the rail lines on the
4 siding crossing Bridge Street were removed and paved due to maintenance concerns. The Collins
5 Mountain Road culvert project was expected to start in September.

6
7 The Manager spoke about the Fire Truck Bond Vote on September 26th and the information session on
8 September 18th. Also at the next meeting the budget would be discussed, and the audit field work was
9 to begin in the next week.

10 11 Approval Items

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13 Mr. Bressor agreed to add an access permit to the agenda.

14 15 Minutes of August 21, 2017

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17 Mr. Sander offered a motion to approve the minutes of August 21, 2017 and was seconded by Mr.
18 May and the motion carried 4-0.

19 20 Clean Water Advisory Committee

21
22 The Manager explained that he attended this meeting today and that it was important that he attend this
23 committee since it had implications for the town and its Municipal Roads General Permit expected to
24 be issued by 2020.

25
26 Mr. Sander offered a motion to appoint Geoffrey Urbanik to the Clean Water Advisory Committee and
27 was seconded by Mr. May and the motion carried 4-0.

28 29 Alex Brossam Resignation from Planning Commission

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31 The Manager explained that Mr. Brossam had resigned from the Planning Commissoin, but that the
32 PC chair, Sean Foley, had requested that the membership be reduced to five people because of quorum
33 issues. The board discussed this and heard from the audience about the benefits of seven members and
34 the suggestion to have alternates. The board agreed to post this position on Front Porch Forum to try
35 and retain seven members on the Planning Commission.

36
37 The Manager also reported that Rod West was going to level a spot on Volunteers Green for the ice
38 rink. No fill was to be brought in. Mr. Hill was concerned that grass should be planted to keep the
39 green looking green.

40 41 Approval of Warrants

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43 Warrants were reviewed and approved.

44 45 Purchase Orders

46
47 Mr. Sander offered a motion to approve Purchase Order #3414 to Community Bank for the final
48 payment on Depot Street in the amount of \$20,384.65 and was seconded by Mr. Hill and the motion
49 carried 4-0.

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1 Mr. Sander offered a motion to approve Purchase Order #3416 to Community Bank for the final
2 payment on Chevy Pickup in the amount of \$11,331.81 and was seconded by Mr. May and the motion
3 carried 4-0.

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5 Mr. Sander offered a motion to approve Purchase Order #3415 to Community Bank for the final
6 payment on Depot Street in the amount of \$21,027.07 and was seconded by Mr. May and the motion
7 carried 4-0.

8
9 Mr. Sander offered a motion to approve Access Permit #17-094 for HU2452 – Hudson. Mr. Hill
10 seconded the motion, and the motion carried 4-0.

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12 Next Agenda:
13 Riverbank Erosion Control – Front and rear of Volunteers Green; personnel policies; budget; East
14 Main/Route 2 continued.

15
16 **5. Adjourn**

17 Motion by Mr. Sander to adjourn the meeting at 8:25 p.m. Seconded by Mr. Hill. So voted.