

SPECIAL MEETING OF THE SELECTBOARD  
Selectboard Minutes 3/9/2020

Members Present: David Sander, Bard Hill, Katie Mather, Roger Brown, Christine Werneke  
Absent:

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Others Present: Josh Arneson, Town Manager; Kathy Daub-Stearns, Admin. Assist.; Ravi Venkataraman, Planner; Denis Gile, Fire Chief; Gerald Levesque, Assist. Fire Chief; Eric Adam Wood, Fire Dept.; Virginia Clarke, Planning Commission; Lauck Parke, Planning Commission; Chris Granda, Planning Commission; and Ruth Miller was present to videotape the meeting for MMCTV Channel 15, also attending – Josi Kytile, Buttermilk; Brendon O'Reilly, Buttermilk; Sharon Dwire, Julie Eschholz, Bill Eschholz, Lori Aldrich, Peter Scherber, Dolores Carter, Paul Zugaro.

Called to Order: 7:05 PM

**1. Welcome by Bard.**

No comments. Bard informed the public that David and Roger were running late therefore the meeting would open with 3 members present.

**2. Public hearing on proposed zoning amendment for Jolina Court**

Katie moved to open the hearing for the proposed Jolina Court Zoning Amendment, Christine seconded. All agreed.

Virginia reported that in the in fall of 2019 the Planning Commission presented a document to the Selectboard, the Selectboard felt there were unresolved elements so it was returned to the Planning Commission for changes.

Bard suggested the way to move forward would be to take each item from the schedule provided by Katie and discuss it as a separate item beginning with the height of structures to enable hearing from Fire Dept. personnel present without delay.

Katie presented a schedule of changes that encompassed the history of the project to bring everyone up to date with events. The first topic presented was **building height** with the following information provided:

**INTERIM ZONING NOV & DEC 2016:**

- 1 @ 38ft ground – eaves
- All other structures 35 ft
- Existing section 6.6 taller structures shall apply any deviation shall require developer to pay 100% of costs associated with fire mitigation

**SELECTBOARD FALL 2019 DRAFT ZONING:**

- Height of any structure shall not exceed 35ft exceptions as provided in section 6.6b

**PLANNING COMMISSION WINTER 2020 DRAFT ZONING:**

- The height of a building shall not exceed 35 ft. in buildings with steeply pitched roofs in which there is no occupancy above 35 ft.
- the building height may not exceed 45 ft.

## NOTES:

These discussions have resulted in developers needing a letter from Richmond FD to include with DRB approval submittals outlining FD's recommended fire-fighting assets (such as standpipes and mounted ladders)

## BLDG HEIGHT BUILDING #2

### DRB APPROVAL

- Avg. 34.25 building height. Buttermilk floor plans show one side of the building at 45 ft from the low point of the ground

### 4/2018 SB FALL

- The height of any structure shall not exceed 35ft exceptions as provided in Section 6.6b

### 2019 PC WINTER

- The height of a building shall not exceed 35 ft. In buildings with steeply pitched roofs in which there is no occupancy above 35 ft, the building height may not exceed 45 ft.

(End of presentation)

Fire Dept. representative Eric Adam Wood reported on the department's inspection of the premises reporting:

- that 32' is the max height the FD ladders can extend to;
- that the FD made recommendations for programming changes in the fire alarm installed;
- that the FD is looking for the developers to provide an access ladder to the roof from the interior for building 1 and any future buildings of this size or larger;
- that the FD should be consulted earlier on large buildings so recommendations such as stand pipes on each level could be factored into construction;
- that the State does not require egress windows for sprinklered building so there are none;
- that the project has met Zoning Regulations
- that there is no problem with the average height of the building but that does not mean the FD has the ability to access by ladder windows in the proposed 2<sup>nd</sup> building plan;
- that ISO requirements are a fixed 35' height, not average.
- that despite meeting both State and Town Regulations ISO regulations that impact the Town of Richmond's insurance ratings could be negatively impacted;

Discussion moved to the FOOTPRINT:

Katie's presentation continued:

### SELECTBOARD FALL 2019 DRAFT ZONING

- First building @ 8000 sq. ft.
- All other buildings in PUD, 5000 sq. ft. max

### PLANNING COMMISSION WINTER 2020 DRAFT ZONING

- All building in PUD 10,000 sq. ft. max

## NOTES

- During discussion of density bonus Buttermilk asked for same density as the upper block (30 units /acre) and also asked to count all roughly 6 acres (developable and undevelopable) to count toward density--essentially asking for the opportunity to build up to 180 residential units. Buttermilk has also stated that 56 units needed for funding of the project.

Discussion with the Planning Commission Members present included:

- a response to the idea that the PC has continually given in to requests from the developer;
- the PC's explained that the process when redrafting the Zoning Regulations for the SB approval was quite complex. It was reported that the PC took into consideration the Town Plan, received input from the developer, looked at how other municipalities have dealt with similar situations, listened to what the residents of Richmond care about, asked themselves would it be good for the Town? and then presented the SB with the proposed amendments.

The Selectboard had questions/ concerns:

- How could the Town entice a developer to put in affordable housing?
- Keeping a mix of commercial and residential without becoming just residential.
- Would increasing the size of the structure impact traffic?
- In the future would the developer be asking to have traffic flow through the Town Center parking lot as suggested in the past?

Discussion between the Selectboard, the PC, the Planner, Buttermilk and residents included:

- the possibility of a density bonus;
- the need for affordable housing;
- whether the proposed 2<sup>nd</sup> building would be seen from Bridge St.
- that the proposed 2<sup>nd</sup> building is at 10,000 sq. ft. to accommodate a commercial tenant;
- that the maximum number of residential units is 45 regardless of the unit sizes without a density bonus;
- that Richmond is becoming a bedroom community
- that the proposed 2<sup>nd</sup> building would be slightly taller than the Masonic building and that the original Creamery was 3 stories tall;
- that ultimately parking will restrict the size of the buildings;
- that the PC did not feel the footprint was a big deal
- that there would be commercial tenants on the ground floor of the buildings'
- that developers don't build affordable housing without subsidy from somewhere;
- that mitigation of traffic would mean traffic control by signage, speed bumps, traffic lights, separate access/ egress from development;

After discussion the SB decided they want a density bonus for a certain number of units (8-10) that could entice a developer to work on affordable housing for 50% of area median income which is reported as \$105,000. The PC will return with draft language.

The discussion moved to Tax Stabilization:  
Katie's presentation continued:

#### PRE INTERIM ZONING 2014 - 2015

Voters approve article empowering the SB to offer tax stabilization. Property assessed at \$351,400 at time of vote.

#### NOTES

6/3/2019 Buttermilk comes to SB meeting to ask for tax stabilization with property assessed at \$125,000 saying taxes are so low it's basically symbolic. Buttermilk gives letter to SB ahead of meeting calculating taxes on \$125,000 at \$84.49. Buttermilk states that this was always on the table per emails with Geoff. Roger asks for the emails. They are not offered.

General Discussion after the presentation included:

- that the Developable area remains the same;
- that the flood plain has implications;
- that the number of residential units is capped at 45 without a density bonus;
- that commercial will be on the first floor of the buildings;
- that the traffic study done in 2016 may no longer be relevant
- that the SB has control over whether there will be a road through the Town Center parking lot;
- that this amendment will impact other zoning definitions and regulations requiring other updates;
- that regulations are needed pertaining to flood plain development on undeveloped parcels;
- that there is a public meeting APRIL 1<sup>ST</sup> of the PC;
- that another public meeting will be warned for the density bonus.

David moved to close the special meeting, Roger seconded. All agreed.  
David moved to return to the public meeting, Roger seconded. All agreed.

### **3. Adjourn**

David moved to adjourn, Katie seconded. All agreed.  
The meeting adjourned at 10 PM