

Richmond Development Review Board  
 REGULAR Meeting  
 UNAPPROVED MINUTES FOR OCTOBER 12, 2016 MEETING

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6	Members Present:	Ian Bender; Matthew Dyer; Gabriel Firman; Roger Pedersen; David Sunshine (Chair)
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8	Members Absent:	Alison Anand (Alternate)
9	Others Present:	Bruce and Cara LaBounty; Mary Houle; Martha Palmer; Tony Fletcher; Lisa Fletcher; Geoffrey Urbanik; Jeffery Hard; Neils Rinehart; Cheryl Hard; Alex Brosam; Curran Robinson; Dolores Carter; Clare Rock (Town Planner/Staff); Ruth Miller for MMCTV Comcast 15;

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13  
 14 David Sunshine called the meeting to order at 7:00pm. Sunshine announced that if people what to be  
 15 considered an interested party people must participate in the hearing.

16  
 17 Discussion followed about evidence presented at the meeting – if people what to submit written material  
 18 during the hearing, the DRB may have to continue the hearing to be able to provide DRB members  
 19 ability to read the presented information.

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20  
 21 PUBLIC HEARINGS

22  
 23 Anthony and Lisa Fletcher – Application #16-101 for the hearing of a Conditional Use Review for a  
 24 proposed Cottage Industry at 17 Christmas Hill Road (CH0017). The property is owned by Anthony  
 25 and Lisa Fletcher and lies within the Agricultural/Residential District.

26  
 27 Sunshine swore in the applicants, no other people expressed interest in being an interested party.

28  
 29 Fletcher wants to establish a cottage industry to make oak barrels and doesn't plan to do any exterior  
 30 modifications to the existing building. In addition to himself, 2 partners will be working part  
 31 timeFirman was the DRB liaison, and went on a site visit. Firman asked about how the sound would be  
 32 mitigated. The Applicant responded by stating the expected work will be undertaken during regular  
 33 business hours. The applicant has been undertaking some work in the evenings and on the weekends,  
 34 then has spoked to the neighbors. They have no concern about the work or the noise. There will be no  
 35 more than 2 deliveries per day in the future, currently they total 2 or less a week. They are not planning  
 36 to install any exterior signs. There were no additional questions from the board or the public.

37  
 38 Motion by Bender, to end the hearing and go into deliberative session, seconded by Dyer, all in favor  
 39 so voted.

40  
 41 Richard and Mary Houle – Application #16-092 for the hearing of an Appeal submitted in response to  
 42 a Notice of Violation issued for building Accessory Structures at 2614 Cochran Road (CO2614) without  
 43 permitting. The property is owned by Richard and Mary Houle and lies within the  
 44 Agricultural/Residential District as well as the Flood Hazard Overlay District.

45  
 46 Sunshine swore in Niels Rinehart, Zoning Administrative Officer (ZAO). Rinehart stated the purpose  
 47 of the appeal is to determine whether the ZAO was justified in issuing the Notice of Violation. Rinehart  
 48 provided an overview of the property and the timeline which led to the issuance of the Notice of  
 49 Violation. Clare Rock, Town Planner, provided additional background on the approval process of  
 50 Agricultural Uses and Structures. Accepted Agriculture Structures and Uses, as defined by the State of  
 51 Vermont, are exempted from municipal land use regulation. In the past, the Town accepted written

1 notification from the property owner, in which they simply stated they were building an agricultural  
2 structure and therefore did not require a permit. More recently the Town understands State law to  
3 require the property owner to either present additional information about how the proposal indeed meets  
4 the State’s definition or provide a copy of the State determination, demonstrating compliance, in order  
5 to be exempted from municipal regulation.

6  
7 Mary Houle stated that Cara and Bruce LaBounty will be representing her. Cara LaBounty proceeded  
8 to present information which they believe shows how the property is an agricultural property. LaBounty  
9 provided a copy of the court case which they stated they “won” as evidence to demonstrate how the  
10 town is wrong in the administration of agricultural uses and structures.

11  
12 LaBounty referenced documents to demonstrate how they feel the ZA didn’t proceed correctly.  
13 LaBounty continued to provide examples of how agricultural properties don’t need to get “certified.”  
14 LaBounty’s contention is that people haven’t been treated fairly. LaBounty handed out a packet titled  
15 “Champlain Tax Service Inc” which included multiple other documents.

16  
17 Further discussion between the DRB, the LaBounty’s, Rinehart and Rock about various interpretations  
18 of the regulations, the procedure and how the town treats agricultural properties. The LaBounty’s  
19 believe the Town has no right to engage in enforcement over agricultural property. (For a complete  
20 record of the discussion, see MMCTV video.)

21  
22 **OTHER BUSINESS**

- 23  
24 • **Approve Meeting Minutes: September 14, 2016**

25  
26 Sunshine made a motion to approve the minutes with minor changes, seconded by Dyer, all in favor.  
27 So voted.

28  
29 Pederson made a motion to close the hearings and enter into deliberative session, seconded by Firman.  
30 All in favor, so voted.

- 31  
32 • **Deliberative Session**

33  
34 Dyer made the motion to go to deliberative session for Application #16-015 and Application #16-092  
35 and to close the public hearing. Ian Bender seconded the motion. All in favor. So voted.

36  
37 --- made a motion to end Deliberative Session, seconded by Firman. All in favor, so voted.

38  
39 Bender made a motion to approve “Application #16-101 for Conditional Use Review for a proposed  
40 Cottage Industry at 17 Christmas Hill Road (CH0017)” with no conditions, seconded by Dyer, all in  
41 favor. So voted.

42  
43 --- made a motion to continue deliberations for “Application #16-092 for the hearing of an Appeal  
44 submitted in response to a Notice of Violation issued for building Accessory Structures at 2614 Cochran  
45 Road (CO2614) without permitting” to the next meeting, seconded by Dyer, all in favor. So voted.

46  
47 **ADJOURN**

48 --- made a motion to adjourn, seconded by ---, all in favor. So voted.

49  
50 Respectfully submitted by Clare Rock, Town Planner/ Acting Zoning Administrator/Staff to the DRB