

**RICHMOND SELECTBOARD  
TOWN PLAN PUBLIC HEARING # 2  
August 27, 2018 MINUTES**

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Members Present: David Sander; Roger Brown; Christy Witters

Absent: Bard Hill; Steve Ackerman

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Others Present: Geoffrey Urbanik, Town Manager; Jessica Draper, Town Planner; Marcia Gardner, State Rep; Jeff Forward; Brian Tellstone; Joy Reap; Virginia Clarke; Josh Arneson; Bruce LaBounty; Libby Parke; Lauck Parke; Jack Linn; Jon Kart; Scott Nickerson; Matthew Parisi; Mark Fausel; David Healy; Liz Boyd and Ruth Miller was present from MMCTV Channel 15 to broadcast the meeting.

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David Sander called the meeting to order at 7:34 PM.

**1. Welcome and Public Hearing**

Mr. Sander explained the nature of the meeting which was the second mandatory public hearing on the new Town Plan. The third had been advertised for September 4, 2018 at 7pm as part of the regular Selectboard session.

Ms. Witters offered a motion to open the public hearing and was seconded by Mr. Brown. The motion carried 3-0.

Town Planner Jessica Draper reported on the amendment from the August 8<sup>th</sup> public hearing, which was in the energy technical plan, on page 20 of the draft town plan, under Goal 2, add the following action to be called Action 7: *“Consider adopting the State’s Energy Stretch Code in the town’s zoning regulations for new construction, renovations, and additions”*

Ms. Draper added that the Planning Commission had reviewed the amendment and noted it was consistent with State energy goals.

Jack Linn asked if the planning document (Town Plan) dictated zoning, and Ms. Draper said yes.

Bruce LaBounty asked the board to reconsider this change. He said that the Planning Commission voted 7-0 to not have this in the plan, and the board shouldn’t micro manage the Planning Commission. Anything that goes into the plan was a justification to put it into the zoning. If the stretch code goes into the zoning, it would add cost and is too much for an average buyer. He felt that the State should take care of this issue.

Mr. Brown said that there was no good reason to not publicly consider this. He understood what zoning was and what building codes do, but the issue is if this was appropriately to publicly consider and it was appropriate through the Selectboard hearings to add this back in.

Mr. LaBounty said that if Act 250 does it, why should we also require it? Mr. Brown said that Act 250 didn’t require on a residential level. This is a question of should we consider the stretch code.

1 Mr. LaBounty said that this could derail the document and the board was taking a big risk. He said  
2 that the Planning Commission had more meetings than the Selectboard but decided against this action.  
3

4 Jeff Forward doubted that the additional cost for construction would be \$10,000 on a home. He said  
5 just an energy professional was needed to verify installation, such as a blower door test. The  
6 decreased costs to operate the home would offer savings to offset the costs to build.  
7

8 Mark Fausel corrected that the vote to remove the action was 5-1. He wasn't confident that from his  
9 feedback that a majority of people are in favor of the stretch code.  
10

11 Mr. Brown again clarified that this was consideration, not adoption.  
12

13 Mr. Fausel said that the Regional Planning Commission did not include the phrase consideration of the  
14 stretch code, this was added after the fact. Mr. Brown asked by whom? Ms. Draper noted that in  
15 April, a subcommittee with Jeff Forward and Melanie Needle of the Chittenden County Regional  
16 Planning Commission wrote amendments to this section of the plan. The Manager asked where the  
17 changes were from, and Ms. Draper said they were submitted by Melanie Needle and Jeff Forward.  
18

19 Matthew Parisi said, assume that this plan is passed, and assume that the stretch code is eventually  
20 adopted, how are homeowners able to realize the gain (opposing initial costs) when they sell the  
21 home?  
22

23 Jon Kart said that facts don't support the costs. The \$10,000 is a made-up number, and it was only  
24 \$400 for a blower-door test. The Town Plan as presented was great and this is an argument over  
25 whether to discuss something later but we should move on.  
26

27 Jeff Forward said this deserves a robust discussion, and this hasn't been adopted. We can get adequate  
28 information on the costs.  
29

30 Bruce LaBounty said that the two people who want this the most have a financial gain. He wasn't  
31 against the stretch code, but how it was presented.  
32

33 Ms. Witters said she voted to consider this because we need to learn more and decide if we want  
34 pieces or the whole thing. Older houses have costs, there are lots of pieces to this. She said that the  
35 questions to be answered were how do we implement this, and what's the right fit?  
36

37 Jack Linn said he has gone through the zoning permits and this year there were 15 house permits, with  
38 four new homes and two mobile homes. He spoke with three separate builders and architects and their  
39 opinion was that before new rules were adopted, the existing ones should be enforced. He suggested  
40 we change the discussion, and we don't need stretch codes but encourage energy efficiency. He said  
41 that affordable housing was mentioned 18 times in the plan, and this isn't helping it.  
42

43 Jeff Forward took umbrage to the financial gain statement. He was working for the school system as a  
44 facilities manager, and he was not a residential energy consultant. He has been the town's Energy  
45 Coordinator for a long time, and gives free advice to residents. Chris Granda also works for appliance  
46 standards in California. He had concerns about climate change and we need civil, fact-based  
47 conversations.  
48

49 Mr. LaBounty apologized for his statement on financial gain.  
50

1 Mr. Brown spoke to Jack Linn and said if he wouldn't support adoption, and Mr. Linn replied yes.  
2 There was back and forth on modifications to the language that Mr. Lin would support, but nothing  
3 was agreed upon.

4  
5 Jeff Forward explained a little about Act 250 and the stretch code, noting that construction outside of  
6 Act 250 was not subject to the stretch code.

7  
8 Virginia Clarke suggested the language be "consider adopting all or part of the energy stretch code."  
9

10 Mr. Linn said remove "adopting."  
11

12 There was additional discussion.  
13

14 Mark Fausel said this was the second public hearing, and the stretch code was the only issue. It was  
15 tragic that this was put back in the plan.  
16

17 Brian Tellstone explained that the Planning Commission wrote a letter to the Selectboard explaining  
18 why the Planning Commission removed this.  
19

20 Mr. Brown addressed Mr. Fausel and said he understood his comments, but the objection to including  
21 it is a political reason and nothing to do with the stretch code itself. He's ok with the political heat  
22 over the inclusion of the issue because he felt this warranted a discussion.  
23

24 There was more discussion along the same lines. Ms. Witters proffered a language change on this  
25 action, and there was some discussion on the amended language. Mr. Brown offered some  
26 suggestions also.  
27

28 There being no further discussion, Mr. Brown offered a motion to close the public hearing and was  
29 seconded by Ms. Witters, and the motion carried 3-0.  
30

31 Ms. Witters offered a motion to amend the plan, specifically Action 7 under Goal 2, to "consider  
32 adopting all or parts of the State's energy stretch code in the town's zoning regulations for new  
33 construction, additions and/or renovations." Mr. Brown seconded the motion.  
34

35 Ms. Draper identified the change as minor, since the major issue was the inclusion of considering the  
36 stretch code and this was unchanged in the amendment. The motion carried 3-0.  
37

38 The public was reminded of the final public hearing at the Selectboard meeting at 7pm on September  
39 4<sup>th</sup>.  
40

## 41 **2. Adjourn**

42 Motion by Mr. Brown to adjourn the meeting at 8:45 p.m. Seconded by Ms. Witters. So voted.