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To: Josh Arneson

RE: Umiak Ladder Letter

This memo will provide a brief overview of the permitting history of the Umiak river ladder. I will then address whether or not this ladder is an allowed use per the Richmond Zoning Regulations. Lastly, I will outline the permitting steps that will need to be taken in order to permit the ladder.

### **Overview**

On March 31, 2022 Acting Zoning Administrator Kayla Vaccaro received a request from Umiak Outfitters to install a ladder to access the Winooski river through the Overackers parking lot. This ladder is intended to facilitate safe access to the Winooski River. Through email communication with Umiak Outfitters Vaccaro noted that Umiak could install the ladder without a permit. On June 30, 2022 Town Manager Josh Arneson received a report that Umiak had installed the ladder on town land without a permit. After looking into this issue more I realized that Kayla had initially made an error in her interpretation of the regulations. While her approval of the project was outside of the 15 day appeal period Umiak did not have permission from the town to install the ladder on town land. Therefore, Umiak should not have installed the ladder despite the fact they had permission from Vaccaro. They needed permission from the property owner, in this case the town. Given the fact that the ladder was only intended to be up for the season Josh Arneson and myself decided to allow Umiak to keep the ladder in for the remainder of the season. After which time Umiak would have to receive a permit from the town to install the ladder for 2023.

### **Ladder as an allowed use**

After consulting with Western Floodplain Manager Kyle Medash and reviewing the Richmond Zoning Regulations I determined that the ladder was an allowed use. The ladder would be located inside of the Special Flood Hazard Area. Kyle Medash noted that he would consider the ladder to be an allowed structure similar to a dock. Section 6.8.9 notes that docks are allowed in the Special Flood Hazard Area with Conditional Use Review. Conditional use is subject to Section 5.6 of the Richmond Zoning regulations.

### **Permitting Pathway**

To permit the ladder the applicants will need to follow the following steps. They will need to get permission from the Selectboard. If the Selectboard decides to allow the ladder to be installed, then Umiak will need to fill out an application for Conditional Use approval. If the Development Review Board decides to approve the application Umiak can then apply for a Zoning permit.

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Zoning Administrator