



SELECTBOARD MEETING OF AUGUST 10, 2009

- Members Present: Shaun Bryer, Brian Kellogg, Todd Yando, Bob Beeman and Dave Yacovone.
- Department Heads: Dan Lindley, TA; Richard Keith, Chief of Police; Bob Melfy, Highway Superintendent; Mark Leonard, Zoning Administrator and Mary Ann Wilson, Town Clerk.
- Guests: Max Paine, Bill Henchy, Heather Sargent, Bill Rossmassler, Chris Chauvin, Jennifer Desautels, Paul Trudell, Jane Campbell, Andrew Volansky and John Myer.

Meeting was called to order at 6:00PM in the Tegu Building Community Meeting Room by Shaun Bryer, Chair.

I. AGENDA CHANGES & ANNOUNCEMENTS

1. Add Planning Commission Nominee
2. Add Lamoille County Planning Commission Contract
3. Add Green Mountain Landscaping Bill

II. NEW BUSINESS

1. **Pavement Cut Request-** James Wood has been hired to do some work at 103 Maple Street and needs to cut and bore into the street to hook onto the main water and sewer lines. The work is expected to take 4 days dependant on weather and start and finish time. James would like to begin on August 17, 2009 and should be completed by August 20, 2009. Maple Street will need to be closed during the construction. The Board discussed proper compaction and specs of asphalt that will need to be replaced. Bob will be sure that James gets a copy of the policy & procedures. They also mentioned that proper reflective barriers will need to be placed to make drivers aware of the road closure at night. The Board also asked that James keep the Town staff apprised of the progress.

Motion made by Dave Yacovone, seconded by Bob Beeman to approve Pavement Cut Request for James Wood. Motion approved. (5/0)

2. **Set FY10 Tax Rate-** Mary Ann went over figures for previous fiscal years compared to this fiscal year. Proposed Municipal Tax Rate for FY10 is \$.6674 per \$100 of asessed value. The Education Tax Rate as set by the State is \$1.0444 for Homestead and \$1.3956 for Non-residential. Proposed total tax for FY10 is \$1.7118 for Homestead and \$2.0630 for Non Resident.

Motion made by Dave Yacovone, seconded by Brian Kellogg to approve FY10 tax rate at \$.6674 per 100 of assessed value and affirm total tax rate to include Municipal and Education tax for FY10 at \$1.7118 for Homestead and \$2.0638 for Non residential. Motion approved. (5/0)

3. **Request from Sterling Snow Riders-** The VAST trail system needs some drainage work and a new culvert on the Beaver Meadow portion of the trails. As this is Town owned Property,

the Sterling Snow Riders are requesting permission to do the work. They are applying for a grant to do the work. The work performed will not cost the Town any dollars.

Motions made by Brian Kellogg, seconded by Bob Beeman to approve work to be done as described. Motion approved (5/0).

4. Chris Ransom Community Garden Concerns-

- a. Annual Corn Roast has been canceled; River Arts has an event planned for the same day.
- b. Gardens are being robbed, would like something done about it, fines or community service for those that are caught.
- c. Need speed bumps, a lot of kids speeding and blowing donuts
- d. Run off from Portland Street is ruining the gardens, need a berm to catch the run off.
- e. Trees that were planted are dead and look like sticks sticking out of the ground along the river bank, very dangerous, would like it all pulled out. Dan says this was part of a grant we got when the Oxbow flooded and the regulations of the grant say they can't be removed. Dan is working on this. The butternut and maple trees are dead or dying, Dan is working with Tree Warden to find the right tree to replace the butternut trees and the maples were recommended as they help provide stability.

5. Planning Commission Appointment- Kelly Rogers is stepping down after 10 years on the board. Board would like to send letter thanking Kelly for her years of service.

Motion made by Dave Yacovone seconded by Brian Kellogg to accept resignation from Kelly Rogers. Motion approved. (5/0)

Lauren Traister who used to be on the board has expressed interest in returning. The Planning Commission has not had a chance to discuss at a meeting Lauren returning to the Planning Commission, but Bill Henchy feels that she is qualified and would not have a problem welcoming Lauren back to the Planning Commission

Motion made by Dave Yacovone, seconded by Bob Beeman to appoint Lauren Traister to fill Kelly Rogers Position on the Planning Commission with a term ending in 2011. Motion approved. (5/0)

6. Lamoille County Planning Commission Contract- Just received the new contract in the mail today; board would like more time to look over the contract. Will table for next meeting.

7. Green Mountain Landscaping Bill- Mary Ann received in the name of the Town a bill for plowing an elderly gentleman's (Ben Campbell) driveway. History of the bill is that Mary Ann at Town Meeting suggested as a nice neighborly thing for Buckwheat to do for Ben Campbell who has just turned 100 years old and had some health issues; was to plow his driveway for him as an act of kindness, so that he would not have to snow blow his driveway himself. Buckwheat did this and has thus billed the town in return for \$400 for plowing 17 times. The Town has never contracted with Buckwheat or Green Mountain Landscaping for plowing of private driveways. It was just a suggestion by Mary Ann.

Motion made by Brian Kellogg, seconded by Todd Yando to pay the bill from Green Mountain Landscaping. All Board members voted no. Motion not approved (0/5)

III. OLD BUSINESS

Zoning Bylaw Review- Setbacks – Board invited Chris Chauvin of CCS Incorporated, Jennifer Desautels of Trudell Engineering Consultants, and residents of the Frazier Rd., Center Rd. Trombley Hill area to discuss the proposed set backs. The Planning Commission language proposed for setbacks in this area is as follows

“All development will have a front set back from centerline of road in a tapered fashion beginning with 45 feet between the intersections of VT Route 15 / Center Road, graduating to 100 feet at the intersection of Center Road and Trombley Hill Road, and graduating again to 200 feet at the intersection of Trombley Hill Road and Frazier Road, and beyond for the rest of the parcel.”

Residents of the area would like to see the 200’ setback around the residential part of the commercial district. They feel this will provide more of a buffer to their property. They are also concerned about traffic. The roads in that area are not designed to handle a large amount of traffic. If CCS has a more definite idea of a plan then they would need to go through the DRB and Act 250 and there would be a traffic study done to determine the impact.

Jennifer Desautels, from Trudell Consulting provided a map of what the tapered set back would look like as proposed by the Planning Commission. Some points she brought up on behalf of CCS were:

- The 200’ setback in the residential area was not necessary since they are planning some type of residential housing.
- The tapered setback idea is overly complicated(its starts at 45’ tapers to 100’ the goes back to 25’ for side setbacks around the existing house, then is 200’ again).
- There are many other commercial uses in the immediate area with 45’ or less setbacks. Why should this site be subject to a larger setback than all other commercial properties in the Town.

Board members were split on whether to compromise and change the language to read 45’ to Frazier rd. then taper to 100’ or 200ft’ others felt that we would be spot zoning as other commercial zones have a 45’ setback. The Board would like to take more time to look into the legalities of the proposed zoning bylaw language. Will discuss at the next Selectboard meeting on August 24, 2009 at 7:00PM.

2. Animal Control Issue- Brian was called about a horse in need of medical attention and was not being taken care of its owner. This is not generally his responsibility but he told residents that called regarding the horse that he would look into it. When he got there the horse was badly injured due to a nail going through it hoof. He called Sequist Vet Service to look at the horse. The vet took care of it and sent the bill to the Town due to the owner signing over rights to the Town. Brian found a home for the horse. The former owner of the horse was to pay the vet bill incurred until the horse went to the new owner. He called Mary Ann and said that he was not able to pay the bill. He also spoke with Dan Lindley, Town Administrator and told him that he was not able to pay the bill. Brian had told the former owner that he could pay payments to the Town for the vet bill. The Board suggested that Brian visit the former owner accompanied by an Officer to let him know that he is responsible for the bill and that he can make payments on it until it is paid.

3. Real Estate- Mason Property- The Selectboard has had an offer from the Plante’s who are descendants of the Mason’s. The property is located at 4642 Mud City Loop.

Motion made by Bob Beeman, seconded by Todd Yando to accept terms of Sales Agreement from Eric & Suzanne Plante in the amount of \$15,000 for the property located at 4642 Mud City Loop. Motion approved. (5/0)

IV. TA REPORT

1. Planning Commission is looking at the Town becoming a State Designated Growth Center and would like the Selectboard to attend their next meeting on August 18th at 7:00PM
2. The Town will be looking at a transportation enhancement grant
3. Bridge Street Bridge is now closed and the lights are working
4. Fairpoint will be done by Friday the 14th
5. Lots of Construction going in the village.

V. SELECTBOARD CONCERNS

Brian Kellogg- Bridge Painted? Dan explained that the bridge won't be painted but sandblasted so that the newer parts match the older parts.

Todd Yando –none

Bob Beeman- Will be gone the week of the 17th to the 24th so will not be at the next meeting. Asked Richard how he liked his new parking lot? Richard likes, lot more room.

Dave Yacovone- Send letter to Planning Commission, Village Trustees and School District to invite them to use the Community Room and the camera set up. Will we be having another County Collaborative meeting? Yes, it will be sometime in September.

Shaun Bryer-

- Stoplight timing at the intersection can this be adjusted? Dan says it can but should wait to see how traffic plays out over the next few weeks.
- Stop Bars at the light at the intersections? Bob accidentally painted Stop behind the stop bars as this is the general practice that the highway crew uses for stop signs.
- Traffic during school? Should we make Copley Avenue one way? Most parents will probably use 15A to enter the school and come down Copley Avenue, Bob and Dan felt that it would be more of a headache to change the flow of traffic.
- Shim at the sidewalk entrance out front of the Tegu Building? Still not done. Bob will take care of this in the morning.
- When will paving be done at Rt. 100 & Best Street? Bob Says within the next two weeks. In the mean time we will put a bump sign up.
- Where are the local Business signs? Bob forgot to order and has ordered them and will be here next week.

VII. CONSENT AGENDA

1. Approve Minute of 07/27/09
2. Approve & Sign Warrants

Motion made by Dave Yacovone, seconded by Brian Kellogg to approve consent agenda as presented. Motion approved. (5/0)

VI. ADJOURN

Motion made by Bob Beeman, seconded by Todd Yando to adjourn meeting at 8:55PM. Motion approved. (5/0)

Respectfully submitted and filed this 11th day of August 2009

Erica Reed, Administrative Assistant

Please note that all minutes are in draft form unless otherwise stated.