

**TOWN OF CHARLOTTE
SELECTBOARD MEETINGS
June 15, 2009**

APPROVED

MEMBERS PRESENT: Charles Russell, Chairperson; Jenny Cole, Winslow Ladue, Ed Stone,

MEMBERS ABSENT: Frank Thornton

ADMINISTRATION: Dean Bloch, Selectboard Assistant.

OTHERS: Evan Langsfeldt, Jim Donovan, Deb Smith, Carl Lisman, Ed Amidon, Pat Waters, David Kerr, David Carpenter, Mary Cheney, Robbie Stanley, Susan Horsford, Bob Botjer, Leslie Botjer, Peggy Eastman, Linda Beitz, David Miskell, Barrie Dunsmore, Alan Hughes, Steve Kantor, Jim Wells, Joan Jamieson, Andy Jamieson, Ellie Russell, Nancy Wood Dorothy Hill, Eddie Krasnow, Mel Huff, Lora Merrill, Ethan Merrill, John Limanek.

1. CALL TO ORDER

Mr. Russell called the Selectboard meeting to order at 6:00 PM.

2. ADJUSTMENTS TO AGENDA-None.

3. PUBLIC DISCUSSION-None.

4. APPROVAL OF MINUTES-None.

5. INTERVIEW OF EVAN LANGFELDT

Mr. Langfeldt was interviewed.

MOTION by Mr. Ladue, seconded by Ms. Cole, to appoint Mr. Langfeldt as Alternate Representative to the Chittenden County Regional Planning Commission until June, 2010.

VOTE: 4 ayes; 0 nays; MOTION CARRIED.

6. TRAFFIC ORDINANCE AMENDMENT

MOTION by Mr. Stone, seconded by Ms. Cole, to adopt an amendment to the Motor Vehicle and Traffic Regulation Ordinance to create a speed limit of 50 miles per hour for the entire length of Route 7 in Charlotte.

VOTE: 4 ayes; 0 nays; MOTION CARRIED.

7. RECREATION PATH

John Limanek and Jim Donovan were present.

MOTION by Mr. Stone, seconded by Ms. Cole, to contract with Broadreach Planning and Design for planning and design work on the Co-housing Trail as specified in the proposed Scope of Work dated June 12, 2009.

VOTE: 4 ayes; 0 nays; MOTION CARRIED.

8. WORLD WAR ONE MONUMENT—CURBING

MOTION by Mr. Stone, seconded by Mr. Ladue, to approve an expenditure of up to \$9,000 paid to Engineers Construction, Inc. for the installation of eight inch granite curbing in the pattern of a square with rounded corners, to be performed as soon as possible, with Junior Lewis performing excavation work.

VOTE: 4 ayes; 0 nays; MOTION CARRIED.

9. ANCIENT ROADS

Mr. Russell provided a summary of what ancient roads are, the process that has occurred to date, and what actions the Selectboard may take.

Pat Waters asked about roads labeled 19 and 10 on the map that was mailed—whose properties do these cross? Mr. Russell responded that the map may not be 100% accurate. If the Selectboard decides to hold hearings for any of the roads, they will have the roads surveyed. Ms. Cole said the roads in question were named by Mr. Thornton as Widow Irish Road and Lost Lane. Ms. Cole summarized the Planning Commission's review of these roads.

Linda Beitz asked if the Selectboard has criteria for deciding which roads to keep and which to discontinue. Mr. Russell said that the Planning Commission used certain criteria, and the Selectboard may use this criteria as well as other criteria.

Pat Waters said the area in the vicinity of Widow Irish Road is very wet. Mr. Stone asked Pat Waters if she wanted the Selectboard to keep the road. She said no.

Martha Perkins described where to find the Planning Commission's criteria on the Town web-site. Pat Waters asked who would be notified if the Selectboard were to hold a hearing. Mr. Russell said that adjoining landowners would be notified.

Ed Amidon recommended that the Selectboard take a good look at the roads. He said there may be some that don't impact anybody negatively, or maybe they can be moved. He is familiar with Tavern Road (western portion), which doesn't impact anybody. Linda Beitz said that it's on her land.

Cheryl Appe said that some lots are smaller, so the roads will have more of an effect on the landowners. She asked how the Town will address legal challenges?

Mr. Stone said that the Selectboard should first discuss the roads that people want to discontinue. Mr. Russell said that he wants to hear what new people have to say. Mr. Ladue asked which are the roads that the Selectboard is going to evaluate?

Martha Perkins asked what is the list that the Selectboard is considering? Ms. Cole said that there are no official positions—there is no list.

David Kerr said that there is a lot of information on the Town web-site.

Peggy Eastman said that a lot of the roads have never actually been roads, correct? Mr. Russell said perhaps.

Dorothy Hill asked if there has been a corroborator of Mr. Thornton's research? Mr. Russell said there has been some corroboration, but if the Selectboard is going to consider any of the roads, they will have them surveyed.

Jim Wells said he is interested in knowing what the Selectboard is going to do about Olde Carriage Road. Part of it goes through his house. But mostly he don't have concerns.

Cheryl Appe said that if roads are mapped, there is a possibility that non-local people will use them.

Ed Stone said that the Vermont Railway may not allow trails or Class 4 roads to cross the train tracks.

The Selectboard asked if there were any additional comments on the roads:

Breakenridge Road—Ellie Russell said that the Planning Commission recommended not mapping it.

Chandler's Concourse—No one present had any information.

Charles Road (Tavern Road II) (Charles Russell recused himself and sat in the audience)—Ellie Russell described the Planning Commission's recommendation. Ed Amidon said we probably don't need both Tavern and Tavern II. Ed Stone said that the Town also has the existing trail easement created during the subdivision by Lavallette. Jenny Cole said that we need to do research of all three, and also the railroad crossing. Ed Amidon said that if the road preceded the railroad, then the road may trump the railroad. Dorothy Hill asked if the state has decided this on a statewide basis? Jenny Cole said no. Winslow Ladue said that we haven't reached that part of the process. Jenny Cole said that there may not be a general answer. Jack Clemmons said that he's interested because a lot of his land is on the west side of the tracks.

David Miskell said that when the Selectboard approves not getting rid of certain roads, it is important for them to consider what the road is to be used for, e.g. for road, trail, driveway. Nancy Wood said that it is important to consider that the road names were

created by Frank Thornton. Additionally, Nancy said, it is important to understand that what we are calling Tavern Road or Charles Road is really part of survey that includes more than this segment. It will be important for the Selectboard to be clear with regard to which portions of the survey they will be mapping or discontinuing.

Martha Perkins said that in England, the National Trust created trails 300 years ago—we don't know what they went through to do this.

Dan Horsford Highway (Charles Russell returned to sit with the Selectboard)—It was noted that there are questions regarding where exactly the road is located. Joan Jamieson said that her property is on Dan Horsford Highway, and everyone here is against it. Bob Botjer said that if the premise for the Selectboard's decision is that they will be considering people's privacy, then how can they consider this?

Dock Road—Jenny Cole said that it appears this road has already been discontinued.

Mel Huff asked how the Selectboard is dealing with the fact that some of the roads may not be located where they are depicted on the map. Charles Russell said that the Selectboard may survey some of them.

Deb Smith said that we have not heard any to be kept.

Field Street—no comments

Harold's Terrace—no comments

Hicks Road—Nancy Wood said this was mis-identified.

Higbee Road Extension—no comments.

Line Drive—Nancy Wood said that Ferrisburg decided to do nothing.

Lost Lane—Charles Russell said that the Selectboard previously discussed it.

Meander Street—Charles Russell said that this road was previously discussed, and the Selectboard had decided to discontinue it.

Olde Carriage Road—Jim Wells said that he needs the road for access to his property. Alan Hughes asked if the Town maintains Class 4 roads. Charles Russell said that it doesn't except it sometimes provides culverts.

Root Road—it was discussed that this road is already on the State Highway Map as a Class 3 Town Highway as far as the Town Garage. It was acknowledged that this does not allow an official access to the road on Route 7.

Snowdrift Lane—Dorothy Hill stated that this is her driveway. She said that hikers recently tried to walk through her property. She was asked whether she has a legal right-of-way over the Town property (Charlotte and Wildlife Refuge)—she said yes.

Tavern Road East—Ellie Russell said that the Planning Commission recommended that the Selectboard consider this for keeping. Jack Clemmons said that he is in favor of keeping, though not necessarily as a road.

Tavern Road West—Linda Beitz said that she may be interested in having it mapped, but she isn't clear about the ultimate use. She wants to meet her needs and the Town's needs. She is interested in having a discussion about it.

Nancy Wood asked how Route 7 would be crossed. There is no access shown to the "Town Pound."

Thornton's Trace—Steve Kantor requested discontinuance, based on six factors: (1) He said it is clear that it runs past his bedroom window and down his driveway. (2) It was never built—the Town's surveyor said this. (3) It's redundant. (4) There is no urgent need for a trail in this location. (5) No one uses this—it's impossible to use. This is different than the route people ski. (6) Putting it on the state map will attract more users.

Trails End—no comments

Widow Irish Road—no comments

Wings Point Road—Cheryl Appe said she feels the same points apply to Wings Point as Steve Kanter noted about Thornton's Trace. It goes past cultivated yards and within feet of houses. She said that he goes near the Ferry landing, so will attract the public.

Alan Hughes asked what is the access to Sloop Island. He said that Wings Point Road is important for the Town's access to the lake for the fire department and for beach access. Cheryl Appe said that the neighborhood has granted access for a fire hydrant.

The Selectboard made the following indications regarding their intentions for each road:

Breakenridge Road—discontinue.

Dorothy Hill asked why only portions of roads are being considered. Winslow Ladue said because portions have already either been mapped or discontinued.

Jack Clemmons asked if the Selectboard is going to define the difference between a road and a lane. Charles Russell said that the term "lane" is not defined by statute, but is probably analogous to a Class 4 road.

Chandler's Concourse—discontinue

Dan Horsford Highway—discontinue

Field Street—discontinue

Harold's Terrace—discontinue

Higbee Road Extension—further evaluate

Line Drive—further evaluate

Lost Lane—further evaluate

Meander Street—discontinue

Olde Carriage Road—further evaluate

Snowdrift Lane—discontinue

Tavern Road—easterly portion—further evaluate

Tavern Road—easterly portion—further evaluate

Thornton's Trace—further evaluate

Cheryl Appe said that the mapping arbitrary. This decision is arbitrary. She said that the Selectboard had said that they wouldn't put past people's houses. Ellie Russell said that the Planning Commission thought that privacy may be able to be addressed by re-routing a portion of the road around the Kantor property. Martha Perkins said that the Selectboard is being capricious. Ed Amidon said that the Selectboard is not being capricious—by taking their time, they are not being capricious. Mel Huff asked what is the reason for keeping? Charles Russell said that people have been using it. And they are only evaluating it at this point, they have not decided to keep it.

Trails End—further evaluate

Widow Irish Road—discontinue

Wings Point Road—a majority of board members want to discontinue. Jenny Cole said she wants to evaluate part of it regarding the fire department's access. Cheryl Appe said that the Town currently has access so why would it need additional access? Alan Hughes said that this is the most historic road in the Town. The Town has allowed a town road to be labeled as "private." Cheryl Appe said that this is because a subdivision was approved here, and people have been driving into this neighborhood looking for the ferry. Charles Russell asked if the fire department has access to the dry hydrant. Cheryl Appe said yes. She also said that the criteria being used by the Selectboard aren't clear. Jenny Cole said that she has concerns about the same issues raised by Alan Hughes but acknowledged

that public access was lost a long time ago—the properties have been private for some time. Charles Russell said that Jenny can research the issues, but the board's intent for now is to discontinue the road, unless Jenny can demonstrate that any of the issues are valid concerns.

Charles Road (Tavern Road II) (Charles Russell recused himself and sat in the audience)—further evaluate

Carl Lisman said he has a process question: can people rely on this list? Winslow Ladue described the process going forward. If something comes up during the process, roads may get moved on the list, but people would be notified. Martha Perkins asked why Winslow used the term “tentative.” Winslow stated that he used the term because there is a legal process, and the list that was created does not by itself ensure that any of the roads will be discontinued.

Charles Russell said that it is the Selectboard's intent to do more research without spending money. Carl Lisman asked when does the formal discontinuance occur? Charles Russell stated that the Selectboard needs to decide which roads to map first. Winslow Ladue described the deadlines, and said that it is likely that by January the Selectboard (and public) would know the final list. Charles Russell said that the Selectboard would try to complete the process even earlier than January.

Jenny Cole asked what would be included in the screening process? Charles Russell said probably site visits and looking at the original surveys. Ed Stone suggested reviewing three roads at each Selectboard meeting to get through the list. Jenny Cole said that the screenings should include criteria.

Barry Dunsmore said that the timeline is like the sword of Damocles for someone looking to sell property, as the roads can greatly affect property values and the ability to sell. He said the sooner the Selectboard can know, the better.

Eddie Krasnow asked if the Selectboard wants to hear from more people? He asked if there is there a place for more public input? Charles Russell said that people can contact the Selectboard.

NO OFFICIAL ACTION WAS TAKEN

10. APPROVAL OF BILLS AND WARRANTS

The Selectboard signed bills and warrants as presented.

11. ADJOURNMENT

MOTION by Mr. Stone, seconded by Mr. Ladue, to adjourn the meeting.

VOTE: 4 ayes; MOTION CARRIED.

The meeting was adjourned at 10:05 p.m.

Respectfully submitted, Dean Bloch.

These minutes are subject to correction by the Charlotte Selectboard.