

**TOWN OF CHARLOTTE
SELECTBOARD MEETING
10/12/09**

Approved October 20, 2009

Members Present: Ed Stone, Jenny Cole, Charles Russell, Frank Thornton, Winslow Ladue

Administration: Dean Bloch (selectboard assistant)

Others: Nancy Sabin, David Marshall, David Mullin, Dorothy Pellet, Bob Hyams, John Limanek, Barton Merle-Smith, Susan Merle-Smith, Mark Dillenbeck, Doreen Kraft, Mischul Brownstone, Ellie Russell, Howard Verman, Kate Lampton, Bob Linck, Emily Boedecker, Stephen C. Brooks, Raven Davis, Ed Everts, Joan Allen, Cathy Hunter, Mary Mead, Heather Manning, Heidi Sheldrick, Bob Mesaros, Patrice Machavern, Gary Franklin, Susan Smith, Jack Pilla, Mary Lou Kete

Call to order: Mr. Russell called the Selectboard to order at 6:34 PM

Adjustments to Agenda: None

Public Discussion: None

Review bids for snow plowing and shoveling of Town properties. *Potential action: award contract*

The board discussed the two bids they have received for the plowing. The board tabled the discussion until the next meeting.

Burns Property subdivision for Habitat housing project—*Potential action: authorize submission of Preliminary Plan Application*

David Marshall of Civil Engineering Associates appeared on behalf of the Habitat for Humanity housing project. Investigations regarding the new septic area have taken place. The area on the east of the gravel is adequate. There is a request to use the portion east of the gravel pit in a way that is consistent with the current use of the area. The aquifer below the area was discussed. Two houses will be built at once with a third coming later. There was discussion regarding which lots will use which wastewater areas. The path of the line was discussed.

MOTION by Ed Stone to authorize submission of the preliminary plan application for the Habitat housing project as detailed in the overall site plan dated September 2009 by Civil Engineering Associates.

SECONDED by Jenny Cole

VOTE: 5 ayes, 0 nays

Minutes: September 14, September 28

Adjustments were made to the September 14 minutes

MOTION by Jenny Cole to approve the minutes for 9/14

SECONDED by Winslow Ladue

VOTE: 5 ayes 0 nays, motion carried

Minute for September 28 were tabled

Charlotte Land Trust—request for \$60,000 from Charlotte Conservation Fund for conservation project in East Charlotte, Town of Monkton and Town of Hinesburg. *Potential action: approve spending from Town Conservation Fund.*

Kate Lampton and Marty Illick from the Charlotte Land Trust were present to explain the application to the Charlotte Conservation Fund. Ms. Lampton said that many boards have examined the application and have reviewed it. The land contains an unusual amount of resources which make this project unique. This is the greatest amount of public access of all things that have been funded.

Raven Davis and Ed Everts, the landowners were present to discuss their reasons for donating the land. They had originally bought this land to stop it from being developed. The traffic on the trails has increased over the years. The names “Dean’s Mountain” “Douglas Hill” and “Raven Ridge” all have referred to the mountain on the site.

Bob Linck from the Vermont Land Trust and Joan Allen and Emily Boedecker from the Nature Conservancy were present to discuss the project. The public access will be off Rotax Road in Monkton. Joan discussed the reasons the property has been given such high priority. The habitat is ideal for several bat species including one that is federally endangered. The habitat is also ideal for reptiles, amphibians, bobcats, black bears, deer, moose, fox, ravens, wetland species and rare plants. The Nature Conservancy is planning to purchase the Paluska-Brown property in Monkton. The federal funds that have been given for this project have strict oversight. The state funded portion comes with a conservation easement. The Davis-Everts land stipulates that the property be used as a preserve. The entire property comes as one piece. The horse trail was discussed. Riding will not be allowed in the woods but in the open area. Hikers will not be forced to stay on the trails. Motorized vehicles will also not be allowed on the trails.

Ms. Boedecker discussed the cost of the project. The total cost of the project is \$850,160. The total value, including donations is over \$1.1 million. The request to Charlotte is \$60,000. The vast majority of the federal money goes toward the acquisition.

Certain trails will be closed during bobcat mating seasons.

Contribution from the Charlotte Land Trust did not have stipulations. One of the stipulations of the Conservation Fund is that funds must go toward project costs. The amount requested relative to other projects is not large. No other projects are cut short by granting this money. All this land is interconnected despite boundaries. There is not a possible precedent that Charlotte will be asked to fund a future project in another town.

Mary Lou Kete stated that this is a valuable project. However, this project will cause significant changes to the character of the Charlotte neighborhood. She raised the concern that hunting will be allowed on the land. She would like to know the amount of hunting that will be allowed on the land. There will be an increase in the amount of people using the land and traffic on the nearby roads. These points should be considered. She asked if a denial of funds will sink the project or simply delay the project.

TNC allows hunting by permission. They require phone calls so they know how many people are hunting on the land. No hunting zones will be set up near adjacent properties. Signs on the property will indicate that that hunting is regulated. The project will be very difficult to fund without the funding from the Charlotte Conservation Fund.

Bob Mesaros raised the point that 82% of the land is outside of Charlotte. He asked if the ends justify the means. Boundaries between the towns do matter. He objects to the funding and said it should be through private contributions. The Selectboard should include certain contingencies if the expenditure is confirmed.

Comment: The Charlotte Land Trust is a private organization and the money given from that organization is private money. The contribution will not affect the tax rate. The land will be public land available to all. Getting permission to use horses on the land will be very difficult

Mischul Brownstone said that the neighborhood should have a discussion about the project. The town needs to come to an agreement so they can all feel good about the project.

Mark Dillenbeck stated that the main opposition to the project is the restriction of horseback riding and the fact that the neighboring towns are not contributing their fair share. If the town does not act, the property will likely be subdivided and the horseback riding trails will be discontinued. He feels it would be unwise to withhold the money simply because the neighboring towns will not contribute more money.

Cathy Hunter stated that the town has not used any of the conservation money in the past year. It seems that a compromise has been reached regarding horse back riding. This is an incredible opportunity for all.

Comment: This property will enhance the value of the properties. We should stop the concern about Monkton and Hinesburg. All the land (in Charlotte) is being donated.

Comment: The town of Charlotte is paying taxes to contribute to this fund. The tax money is meant to go towards land in Charlotte. This is not what the town voted on.

Susan Crockenburg stated she is happy to put her tax dollars toward this project.

Nancy Sabin asked why the town of Charlotte has to contribute \$60,000 to this bill. She commented on the fact that Charlotte already has a lot of walking space. She is upset about the total price of the project.

Kathy Blume stated that she feels an allegiance to the land, the neighborhood, and the Nature Conservancy, whose job it to conserve nature. She said that of all the places in the world that are falling apart, this is a great opportunity to preserve land.

Mary Lou Kete said that the Nature Conservancy will go through with the project regardless of this grant. The question is can the Town of Charlotte justify spending this money on land outside of Charlotte.

The board should take a second look at whether or not they are allowed to fund this project.

Mel Huff said that if Charlotte does not use the conservation fund money for this project then what will it be used for.

Ellie Russell reiterated that this is a fantastic project.

She questioned whether or not the selectboard is allowed to spend money on projects outside of Charlotte.

Jenny Cole stated that twice the conservation fund has contributed to projects outside of Charlotte.

Kate Lampton summarized by stating that this project is complex. The precedent issue is appropriate and this does not seem like a slippery slope. The dangerous precedent is to vote against this and it would set a bad precedent about the generosity of the donation. If not for the donation the request to the fund would be much greater.

Mr. Russell asked if any of the Charlotte Land Trust's miscellaneous funding has been spent this year. It has not.

Mr. Russell asked how a town vote in 45 days would jeopardize the project. For a nonprofit organization at this time, to wait for the funds TNC would have to incur huge costs. To do a presentation at town meeting would be a major challenge to the town who would not have a great depth of knowledge regarding the project.

Howard Verman from the Charlotte Conservation Commission stated that the commission voted unanimously for this project.

Mr. Ladue said the board could vote on \$13,500 tonight.

John Limanek from the Trails Committee said the committee approves the project. He said the town attorney should determine whether the town can fund the project after the vote.

This fund followed common practice. It was reviewed by all three committees and approved.

Mr. Russell said he is more comfortable putting this issue to the town. He does not believe the Selectboard has the authority to purchase land in another town given the language in the conservation fund.

Mr. Ladue asked how this project will be funded. There are no land acquisition costs.

Mr. Stone said it will cost \$250 to hold a town meeting.

Ellie Russell said she believes it is in the best interest of the town to fund the project.

Steven Brooks pointed out that the deal will be done whether or not Charlotte funds the project.

Ms. Kete urged the Selectboard to vote on the project tonight.

Mr. Thornton said the board cannot use the funds legally.

MOTION by Ed Stone to approve the request from the Charlotte Land Trust for \$60,000 from the Charlotte Conservation Fund for conservation project in East Charlotte, Town of Monkton and Town of Hinesburg.

SECONDED by Jenny Cole

VOTE: 1 aye (Jenny Cole) 4 nays

MOTION by Charles Russell to schedule a special meeting to vote on approving \$60,000 from the Charlotte Conservation Fund for the conservation project in East Charlotte, Town of Monkton, and Town of Hinesburg.

SECONDED by Mr. Ladue

Mr. Stone said he felt it is the job of the Selectboard to make these tough decisions. Mr. Russell said that he does not see the downside of putting the issue to a vote.

VOTE: 3 ayes (Jenny Cole, Charles Russell, Winslow Ladue) 2 nays (Ed Stone, Frank Thornton)

MOTION by Frank Thornton to schedule the meeting for the week November 16th depending on the CCS schedule

4 ayes 1 nay (Ed Stone)

Brush-hogging Town land. *Potential action: accept brush-hogging of specified Town parcels by Mack Farm in lieu of agricultural lease payment*

The cost of brush-hogging was discussed. The board delegated Charles Russell to negotiate the arrangement with Mack Farm.

Rapid Response Plan. *Potential action: approve revision (dated 9/09/09)*

The Rapid Response Plan is helpful in case of an emergency and has been updated by fire and rescue.

The discussion was tabled.

Appointment of Jessie Bradley to the Charlotte Park and Wildlife Refuge Oversight Committee as representative from the Recreation Commission (as recommended by the Recreation Commission). *Potential action: approve appointment*

MOTION by Jenny Cole to appoint Jessie Bradley to the Wildlife Refuge Oversight Committee as representative from the Recreation Commission

SECONDED by Winslow Ladue

VOTE: 5 ayes 0 nays; motion carried

Thompson's Point Lot 203 @ 153 Lane's Lane—renew 20 year lease to Stanley P. & Gayle L. Lane. *Potential action: renew lease*

MOTION by Winslow Ladue to approve the lease renewal at Thompson's Point Lot 203 at 153 Lane's Lane and renew the 20 year lease to Stanley P. and Gayle L. Lane

SECONDED by Jenny Cole

VOTE: 5 ayes 0 nays; motion carried

2 Month Workplan—*Identify and schedule next steps*

Landscaping at Town Hall

Adoption of Management Plan for Charlotte Park and Wildlife Refuge

Ancient Roads—next steps

Donations Committee

Landscaping – Stephen Brooks spoke about the moisture in the building. He said it is caused by the bushes nearby. Mr. Ladue said the design of the building may also be a factor. The board authorized the trimming of bushes by the Town's landscape maintenance contractor, not to exceed \$200.

Management Plan – The board discussed the new management plan.

The management plan will be on the agenda for the next meeting.

Ancient Roads – They should be called Class 4 roads. The board discussed Higbee Road. The board decided that Tavern Road would be on the next agenda provided that Linda Beitz is available.

Donations Committee – Mr. Stone would like to have a Donations Committee. Mr. Russell said it takes too long. The board discussed which requests to look at, and decided to ask the Donations Committee to review requests and make suggestions for the budget.

Adjournment:

MOTION by Ed Stone to adjourn at 10:54 PM
SECONDED by Winslow Ladue
VOTE: 5 ayes 0 nays; motion carried