

**TOWN OF CHARLOTTE
SELECTBOARD
SEPTEMBER 27, 2010**

APPROVED

MEMBERS PRESENT: Charles Russell, Jenny Cole, John Owen, Winslow Ladue. Ed Stone, absent.

ADMINISTRATION PRESENT: Dean Bloch.

OTHERS: Ellie Russell, Charles Baker, Michele Boomhower, John Patnaude, Stephen Brooks, Frances Foster, Marty Illick, Kate Lampton, Jane Lawlis, David Mullin, Stephanie Coate, Charlotte Citizen; and others.

Call to Order

Charles Russell, Chair, called the meeting to order at 7:00 p.m.

Adjustments to Agenda:

Add: Pease Mountain – discussion; and Park Oversight Committee potential grant - discussion.

Public Comments

None.

Minutes of September 13

Motion by Mr. Ladue, seconded by Mr. Owen, to approve the minutes of 09/13/2010 as written with edits/corrections.

VOTE: 4 ayes, 1 absent (Mr. Stone); motion carried.

Michele Boomhower, Executive Director of Chittenden County Metropolitan Transportation Organization and Charles Baker, Executive Director of the Chittenden County Regional Planning Commission – presentation on potential merging of the organizations – discussion only

Michele Boomhower, Executive Director of Chittenden County Metropolitan Transportation Organization (CCMPO), Charles Baker, Executive Director of the Chittenden County Regional Planning Commission (CCRPC), and Marty Illick, Charlotte representative, appeared before the Selectboard.

Ms. Boomhower reviewed a copy of a potential merger plan of the two organizations and time frame, dated 09/10/2010. The CCRPC and CCMPO were seeking feedback from stakeholder partners, said Ms. Boomhower.

Ms. Boomhower handed out copies of a CCRPC Charlotte Town Report 2010, CCMPO report and Work Product Summary for Board review.

John Patnaude – Preliminary Review of Proposed Open Space Area – discussion only

John Patnaude, owner, appeared before the Selectboard, and explained a transfer of density from one 10-acre lot to a 5-acre lot that would then be split into two 2.5-acre lots. The 10-acre lot was located across the railroad tracks, did not have access and was considered non-buildable.

Mr. Russell asked if a trail easement was still a possibility. Mr. Patnaude replied that the lot was under contract and an easement was not up to him.

Mr. Bloch confirmed that the proposed subdivision has been through the Sketch Plan Review process and is a minor subdivision.

Arthur Prentice – Request for Sign in Town Highway Right-of-Way at 65 Ferry Road – action under consideration: approve sign location

Mr. Russell reported that no action was necessary.

Pease Mountain – discussion only

Mr. Russell reviewed that a trails stewardship plan may be ready to sign.

The Selectboard asked staff to place the UVM/Pease Mountain Lease on the Board agenda.

Green Mountain Habitat for Humanity – Request for Waiving of Application Fee of \$2,750 for Wastewater Disposal and Potable Water Supply Permit for Jordan Subdivision – action under consideration: approve request

David Mullin, Green Mountain Habitat for Humanity representative, appeared before the Board on behalf of the Jordan Subdivision project.

MOTION by Mr. Ladue, seconded by Ms. Cole, to approve a request for waiving the application fee of \$2,750 for Wastewater Disposal and Potable Water Supply Permit for perpetual housing units being built in the Jordan Subdivision.

DISCUSSION:

Mr. Ladue asked how the housing units would continue to be affordable. Was it possible for a future home owner to remove that affordability, said Mr. Ladue. Mr. Mullin explained that the developer would place covenant language in the deeds that would run with the property. For example, the Vermont Housing Conservation Board (VHCB) agreed to hold the Greenbush Road affordable housing project's covenant. In this case, the Habitat for Humanity owns the property during development, sells the property and holds the right of first refusal if/when a property came up for sale. Habitat would hold the covenant in place.

Mr. Ladue asked if the Board waived the fee and some action happened, what is the certainty the project would go forward. Mr. Bloch explained that the Planning Commission has been satisfied that Habitat for Humanity is an established developer. If the property was not developed as affordable housing then the project would have to come back before the Planning Commission.

Mr. Ladue asked if there was a legal mechanism for the right of first refusal in the property deeds. Mr. Mullin confirmed that Habitat has the proper language in the documents. Mr. Owen suggested a contingent document for perpetual affordability. Mr. Mullin explained that a deed is recorded with the Town when a property is sold. We could follow the same process that was done with the Greenbush Road project. A covenant could be provided contingent upon the project done as perpetually affordable.

VOTE: 4 ayes, 1 absent (Mr. Stone); motion carried.

Conservation Fund Policy – action under consideration: approve revision to policy to add the following as allowed uses of fund monies: “reasonable project closing costs associated with the aforementioned, such as appraisals, fees for attorneys, processing, administrative and stewardship, and title insurance.”

MOTION by Mr. Owen, seconded by Ms. Cole, to approve an update to the Conservation Fund Policy guidelines as presented.

DISCUSSION:

Mr. Ladue asked if the stewardship funds were a sinking fund. Ms. Lampton replied yes.

There was discussion regarding ownership of an easement (Ms. Lampton explained that a town could be an executory easement holder as a fall-back if an easement holder fails to perform the terms of an agreement.); and if the town owned the land and an easement, or paid for an easement (Ms. Lampton said a town almost never holds a conservation easement, but a town could own the land).

VOTE: 4 ayes, 1 absent (Mr. Stone); motion carried.

Ms. Cole suggested keeping the issue of land projects that border/outside of Charlotte as a topic for future discussion. Ms. Lampton replied that it was not a pressing issue since the Selectboard had outlined a clear direction. Mr. Owen asked if the question would be best answered by the town voters. Ms. Lampton said to keep in mind there are two permutations to this piece: Raven Ridge and multi-town projects.

Charlotte Land Trust – Update on Prospective Projects, Trends, Priorities and Strategies – discussion only

There was discussion regarding a Charlotte Conservation Fund Annual Report, dated 09/27/2010 related to VHCB funding, which is used for larger projects; smaller projects (not eligible for VHCB funding); conservation of an agricultural area identified as the Mud Hollow valley between Spear Street and Mt. Philo Road; a Selectboard suggestion to identify properties for purchase as part of the strategy (for example; Pease Mountain); a suggestion to add the wording “other areas as well” under Scenic Areas, setting aside 5-acres for affordable housing projects as part of the conversation under Strategies, last bullet, create a table with project history (the year a project was closed, funding amounts, number of acres, etc), add annual fund contributions and outstanding balances to the Table of Projects, and rank the possibility of projects with a time projection; and create a priority system that identifies desirable properties.

Bridge Repairs – discussion only

Mr. Ladue suggested seeking a quote for the cost and completion of bridge repairs. The state offers two grant programs for towns and Charlotte would need to get into the grant cycle with the AOT.

The Selectboard members spoke in support for contacting the AOT regarding the grant process and pursuing funding. Mr. Owen would follow up on the grant process.

Agricultural Lease at Thompson's Point

Discussion of an agricultural lease at Thompson's Point was deferred to a future Selectboard meeting.

Other Business:

- **Schedule Annual Update with Committees/Commissions prior to Budget Session – discussion only**
 - Recreation Committee – October 4, 2010
 - Trails Committee – October 4, 2010
 - Conservation Committee – October 25, 2010
 - Add: Senior Center and Fire/Rescue
- **Joint Meeting form**
 - Add: section for a committee to articulate expectations related to budget(s), expenditures, Mission/goals and objectives, a list of committee members and status of service terms, and if a committee would like to engage in intra-committee communications.
- **Park Oversight Committee**
 - Ms. Cole reported on potential grant funding for clearing brush/trees in the northwest part of the park for the purpose of removing invasive plant species and to create a better habitat for birds.

Approval of Bills and Warrants

The Selectboard signed Bills and Warrants as presented.

Adjournment

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

VOTE: 4 ayes, 1 absent (Mr. Stone); motion carried.

The meeting was adjourned at 9:34 p.m.

Respectfully submitted, Kathlyn L. Furr, Recording Secretary