

**TOWN OF CHARLOTTE
SELECTBOARD MEETINGS
JANUARY 22, 2007**

APPROVED

MEMBERS PRESENT: Charles Russell, Acting Chairperson; Jenny Cole, Ed Stone, Eleanor Russell Frank Thornton (arrived at 7:00 p.m.).

ADMINISTRATION: Dean Bloch, Selectboard Assistant.

OTHERS: Nancy Sabin, Nancy Wood, Larry Hamilton, Tom M , Don Welch, Dorothy Pellett, David Angolano, Gary Pittman, Linda Hamilton, Sylvia Knight, John Owen, Andy Broderick, Marty Illick, Moe Harvey, Susan Crokenburg, Tom Hengelsbert, Ceda F. Cowles, Daniel Mullin, Bob Ullrich, Sonja Ullrich, Ann Owen, Andy Thurber, Robbie Stanley, Carol Clay, Linda Samter, Allan Jordan, Amy Wright, Steven Wisbaum, Bob Wright, Peter Richardson, Martha Perkins, Robert Chutter, Rachel Gill, Charlotte Citizen; John Hammer, Charlotte News, and others.

1. CALL TO ORDER

Mr. Russell, Interim Chairperson, called the meeting to order at 6:00 p.m.

Mr. Russell welcomed Ms. Russell back to the Board.

2. REVIEW AUDIT WITH TOWN AUDITOR AND AUDIT COMMITTEE

The Selectboard reviewed a draft Town Audit with the Town Auditor, Daniel Angolano, and the Town Audit Committee.

It was recommended that the Town Audit Committee should work with the Town Treasurer to reconcile the Town bank accounts.

The Selectboard asked Mr. Angolano, Auditor, to continue with the audit.

The review of the Town audit was continued to the next Selectboard meeting, scheduled for 01/29/2007 at 7:00 p.m.

3. ADJUSTMENTS TO THE AGENDA

None.

4. PUBLIC DISCUSSION

Larry Hamilton, Charlotte Tree Warden, reported that William Rutler, from Texas has proposed establishing a Road Side Tree Beautification program. Mr. Rutler signed a contract to donate \$25,000 this year and to match a grant of up to \$25,000 each year for a five-year period, and creation of a five-member committee to administer the Rutler Family Fund for the beautification program. In addition, a \$100 check was received from a Charlotte resident.

Mr. Hamilton asked the Selectboard to appoint the following five candidates to the committee: Gary Pittman, Norman Pellett, Robin Colburn, Kay Teetor, and Ann Marie Curlin.

MOTION by Ms. Russell, seconded by Mr. Thornton, to appoint Kay Teetor, Gary Pittman, Norman Pellett, Robin Colburn, and Ann Marie Curlin to the committee to administer the Rutler Family Fund as presented.

VOTE: 5 ayes; motion carried.

5. APPROVE MINUTES FOR 01/08/2007

MOTION by Ms. Russell, seconded by Mr. Thornton, to approve the minutes of 01/08/2007 as written, with the following corrections:

Page 1, Flea Market Lease, delete "...Mr. Jones signed the Flea Market Lease...".

Page 6, globally correct the spelling of the name "Robin Reid".

VOTE: 4 ayes, 1 abstention (Ms. Russell); motion carried.

6. CHITTENDEN SOLID WASTE DISTRICT - Update

Tom Moreau, Chittenden Solid Waste District General Manager, narrated a power point presentation and explained a proposal to build a landfill in Williston. Three previous landfills had been on the site in the past, but has been a transfer station since 1995. ACT 78 drives the CSWD Charter.

Moe Harvey stated that trash along the side of the road was a big issue. Mr. Moreau replied that there were local and state ordinances in place. The local ordinance would be changed to fine a truck driver if the load was not secured.

The Board thanked Mr. Moreau for his presentation.

7. KATHERINE GUTTING AND DAVID FASSLER – Approve Roadway Agreement and Waiver and Amendment of Street Naming Ordinance to Add Long View Trail

Don Welch, agent, appeared before the Board on behalf of Katherine Gutting and David Fassler.

MOTION by Mr. Russell, seconded by Ms. Cole, to approve a Roadway Agreement and Waiver for Katherine Gutting and David Fassler, and to authorize the Selectboard Chairperson to sign the agreement on behalf of the Town of Charlotte.

VOTE: 5 ayes; motion carried.

MOTION by Ms. Russell, seconded by Ms. Cole, to Amend the Street Naming Ordinance to add Long View Trail.

VOTE: 5 ayes; motion carried.

8. FRANCES FOSTER – VELCO'S POTENTIAL ROUTE OVER CONSERVED LAND

A report on the potential VELCO route over conserved land was deferred until the next meeting of the Board.

9. DISCUSSION OF ARTICLES FOR TOWN MEETING

A) THORP BARN

Martha Perkins and Robert Chutter, Thorp Barn Committee representatives, appeared before the Board. Ms. Perkins reviewed a request for \$12,500 for a driveway project at the Thorp Barn property as a line item in the Town budget versus as an article at Town Meeting.

Ms. Perkins said that the Board had a question related to funding sources other than on the tax rate. The Demeter Fund could be used for the access road, and there was a grant opportunity for \$35,000 for repair and maintenance of trails. Ms. Russell asked if the grant money could be used for the driveway.

It was noted that there was \$7,500 in the Thorp Barn Fund and money for trail maintenance in the Town budget.

Ms. Perkins reiterated that \$12,500 was needed for the driveway and a culvert. The driveway was 664' long. The Town Road Commissioner estimated the cost for the driveway at \$10-15 per foot for a total of \$9,960. A curb cut off Route 7 was not included in the estimate, said Ms. Perkins. Mr. Stone suggested that if the committee asked for \$2,500 then that could be added to the \$7,500 (Thorn Barn Fund) for a total of \$10,000. If other sources were discovered then the \$2,500 could be eliminated from the Town budget.

Ms. Perkins asked who would pay for repairs if the barn roof blew off. Mr. Russell replied there was insurance and the Thorp Barn Fund.

Mr. Thornton stated he did not support the expense. The Thorp Barn/Demeter Park was a resource that was not used much.

Mr. Harvey said that the proposed Demeter Park roadway was designed so that people could pull in with horse trailers. The committee should get written estimates before coming to the Town Meeting. Mr. Harvey said that he installed driveways and has never put one in that cheaply.

Mr. Chutter said that the road was not designed as a year-round road, but as a seasonal access.

Mr. Hamilton said that there were always vehicles at the park, which gets a fair amount of use.

Mr. Russell asked that the committee solicit a quote for the roadway, curb cut and a gate.

B) AFFORDABLE HOUSING FUND

John Owen and Andy Broderick, Affordable Housing Committee members, appeared before the Board.

Ms. Russell read a proposed Affordable Housing Fund Town Meeting article.

John Owen handed out copies of an Affordability Analysis, Charlotte Housing Trust, Rental and Ownership. The committee recommended requesting the Town to approve establishment of an Affordable Housing Fund to be funded for multiple years. The Charlotte Land Trust Fund was used as a model for the proposed fund.

Andy Broderick reviewed that the fund could be awarded to homeowners for improvements of existing space. One-bedroom 850 square feet of living space could be created at \$60 per square feet renovation costs. Potential rental revenue was projected at \$540 per month versus Fair Market Rent (FMR) of \$783.

Mr. Russell asked if the budget costs included septic and water.

Mr. Broderick reviewed a homeownership analysis for a 1,300 square feet unit at a cost of \$120 per square foot with \$1,144.99 monthly housing costs versus market \$1,943.57.

Ms. Russell asked if the Town Meeting warning should cover more than one year.

Mr. Thornton asked if the committee had tried raising private money versus from the taxpayers. The Town has given the land, septic and water, pointed out Mr. Thornton. Mr. Broderick explained the request is to create a fund. Mr. Thornton said that if people were asked to give the money then it would be charity out of love versus forcing residents to pay as a tax. A question was when would (the tax) end. If it is charity that makes people feel good. They would give \$100 versus \$60 and be a tax deduction.

There was discussion regarding the start up amount of \$40,000 to encourage private homeowners to create affordable rental units in perpetuity (Mr. Stone explained it would allow someone such as Nancy Sabin to create an affordable apartment that could allow a Charlotte firefighter or school teacher to live in town); the addition of \$40,000 would still keep the Town budget at a reasonable level; and the number of affordable units on the Burns property proposed as 3, 5 or 9 units.

Ms. Cole said that the Town may not want to limit the funding for rentals only.

Allan Jordan, resident, asked if the \$40,000 would be added to the budget, or to be voted on as an article at Town Meeting. Mr. Russell replied as an article.

Peter Richardson suggested making the request a recurring 3-5 year article to promote affordable housing. The request should be one-cent on the tax rate fund and if the voters reduce it to one-half cent that is better than a one-shot effort. Mr. Thornton said if some other organization has control of the fund, then the Town loses control and costs escalate. Mr. Broderick explained that there are ample Selectboard controls.

Amy Wright asked if the Town could subsidize a persons rent to make them affordable. Mr. Broderick explained that Section 8 program costs of up to \$40,000 would create an affordable unit for a long period of time. In terms with an on-going effort of rent. Paying someone's rent would make it affordable for one person for that one month. When the money runs out there would be no more subsidies for that person and the rent is no longer affordable. The purpose of the fund is to create an affordable unit for 30 years.

Robin Reid, resident, said the model of the fund could help people in existing homes to create affordable rentals and upgrade their homes. It might also eliminate the issue of building units on a public resource (Burns property).

Susan Hartford spoke in support of affordable housing and economic diversity. People could stay in the community if rents were affordable, said Ms. Hartford. Mr. Broderick said that Charlotter's would be given first preference, but there were no restrictions on who could rent a unit. Mr. Thornton pointed out that if there were any state or federal funding involved then you can't restrict who could rent a unit.

Board members spoke in support of asking for \$40,000 per year for three years. A survey of homeowner's interest (in renovating rental space) was suggested.

Mr. Thornton said that a definition of an affordable housing unit was needed. Furthermore, who would administer the fund, and how they would do it needs clarification.

C) BURNS PROPOERTY

Mr. Russell read a proposed article for the Burns property.

Sylvia Knight asked why the proposal was for five units versus the "up to nine" as voted on at the November Advisory vote. The Vermont Design Institute and a 2005 memo mentioned the importance of preserving 23 acres of Clay Plain Forest. At what point do we follow through on the recommendation of the Burns Committee to preserve the Clay Plain forest, asked Ms. Knight. Ms. Russell replied that the Selectboard endorses the Burns Committee report submitted June 26, 2006, for affordable housing. The preservation of the Clay Plain Forest is implicit in the Master Plan. Ms. Russell suggested adding the following language to the proposed article: "...the remainder of 55 acre parcel should be preserved as per the Master Plan."

Mr. Russell pointed out that there was some septic capacity identified in the woods. The ability to utilize the septic should be kept open.

There was discussion regarding the number of units that the Burns parcel could support; the slim margin of approval for "up to nine affordable units" at the November Advisory vote, which was not a clear mandate; what number of units that the Board could agree on (Mr. Russell said that nine units was not appropriate for the site); and a suggestion to leave the number of units up to the voters at Town Meeting. Mr. Owen read a written

statement regarding nine units and the transfer of five acres. Mr. Owen spoke in support of nine units, which would make the project financially feasible. The Board should allow the voters to decide.

Robin Reid read a letter from Megan Price related to concerns of turning over town owned land to an outside entity. When Charlotte homeowners of modest means are being forced out their homes by high taxes, the sale or use of the Burns property should be for the benefit of the residents.

A gentleman in the audience asked if the nine units would be taxed at a lower rate because the units would be capped at FMV. If families living in these units have children then the rest of the residents would be taxed at a higher rate to pay for their education. It would be an educational subsidy in perpetuity. A question is how that would impact the tax rate, asked the gentleman, (he) would like to see the numbers before the March Town vote.

Mr. Owen said the Town would get more taxes that weren't being collected now. Access to the affordable units would be given to Charlotte people first, said Mr. Owen. An audience member replied that was discrimination in every sense of word if the units were offered to Charlotter's first. We need to know the tax rate impact before the vote, said that audience member. Mr. Broderick said the tax rate is equitable.

Mr. Harvey explained that an education for a Charlotte child was approximately \$13,000 per child. If there were nine units with maybe two children per unit then it was certainly an educational subsidy. Mr. Broderick pointed out that education was funded through a state wide tax rate. The School Board could give the demographics.

Ms. Wood said the units should be affordable. A question is how to do that. It will always be a question of equity. For example, affordable units in the Burlington Northend are appraised and taxed at a lower rate. There is a sense of unfairness among neighbors. However, next summer the property tax "rebate" method is changing and it will be public record who pays what and how much they get back. Nine new affordable units is relevant.

Amy Wright spoke in support of a lower number of units. Five units on the Burns property would fit more into the scale of the Village. There has been some discussion of locating the units in the northwest or northeast corner of the farm, or across from the Old Lantern. The location should be in a motion, said Ms. Wright. Ms. Russell said that the draft motion mentions the northwest, but it has not decided yet.

Peter Richardson said that continued conversation is good. It is understood that the focus of the resolution should have a number whether it is 9, 5, 3, or a number less than 9. The Resolution was approved as "up to nine units" to reduce the financial risks. There were neighbor concerns regarding the density. If density was reduced then that would spread costs over fewer units, which would not be a feasible deal to achieve. Mr. Russell

explained that the rural district allows five units of one acre each. If there were more units then the density has to be made up somewhere else.

Kate Lampton spoke in favor of consistency for “up to nine units” which was included in the language for the November public vote. The Board’s role is to decide to send the question of unit numbers to the voters to decide. “Up to nine” in a site specific location comes under the Planning Commission process. The Selectboard doesn’t have analysis and information to site the units in a location.

Allan Jordan pointed out the Planning Commission has latitude for the number of units as long as sufficient septic is available. Ms. Wood said that five units would fit on five acres, and nine units would require 25 acres, which ties up a lot of the Burns property.

Mr. Russell said it was his personal opinion that nine units versus five units would be treated differently if it was a developer proposing the project. The Town is being treated differently from a private developer and the Town should be sensitive to the neighbors, stated Mr. Russell. Ms. Knight said a mix of smaller units and larger habitat housing makes the project feasible. Marty Illick stated that it took the Burns Committee four years to come up with this proposal and money was spent on the study process. The Town should trust the Planning Commission process.

Ms. Perkins said that some people feel that they weren’t listened to in the public process. The process is set up so the majority rules.

Ms. Reid expressed concern that it was not a done deal that the remaining acreage wouldn’t be developed at some later time. Furthermore, it wasn’t fair to say there is no impact. The Town wouldn’t let Hinsdale build barn due to impacts. Charlotte is lucky that it still has farms. The surrounding towns have changed and have no farms.

Carol Clay spoke in support of the project, but asked for more information on the subsidy. It was said that more conserved land means tax breaks for residents. What is the cost of taxes, education, and other impacts on the Town, asked Ms. Clay.

Ann Owen commented that nine units at 1,200 square feet each would bring a mix of residents, such as empty nesters, or families with children. It is impossible to have an answer on the cost to the Town. The nine units was proposed as a cluster of three buildings versus nine separate structures.

Dave Mullin, Green Mountain Habitat representative, said that Habitat houses were sold to a family at cost. Theoretically, for every dollar the project cost increases a family drops out of the market (for that unit). We are talking about nine families and are asking Charlotte residents to open their hearts and pocket books. It was not clear at what higher cost level it was before Habitat would have to walk away from the project.

An audience member commented that the project would be discussed and voted on the Town Meeting floor. There was a concern that a Tuesday Town Meeting would not allow residents to have a voice in the matter since most people are at work.

Linda Center, resident, spoke in support of nine units. It would be helpful to have maps with the Clay Plain Forest, wetlands, etc shown so we know where the constraints are.

Valerie Graham spoke in support of nine units.

MOTION by Ms. Russell, seconded by Ms. Cole, that the Selectboard should convey approximately five-acres in the northwest or western portion of the former Burns property to a non profit housing organization for development of up to nine affordable dwelling units; and also convey sufficient septic and water rights for said dwelling units; and reserve the remaining 55-acre parcel for future Town use in accordance with the Burns Property Master Plan.

Ms. Russell called the question.

VOTE on calling the question: 3 ayes, 2 nays (Mr. Thornton and Mr. Stone); motion carried.

VOTE on the Motion: 3 ayes, 2 nays (Mr. Thornton and Mr. Stone); motion carried.

Mr. Russell asked if the wording of the motion should make it clear that the 55-acre parcel is to be conserved. Ms Hamilton replied that conserved was a "use".

(NOTE: a break was called at 9:30 p.m. – 9:35 p.m.)

10. FINALIZE BUDGET FOR FY08

The Board reviewed the following Budget line items for FY08:

- Special Investigation (page 5) line item was corrected
- Sidewalk Design in the Village, preliminary estimate of \$10,000, to be put in under the Recreation Path Planning line item for \$5,000.
- Library line item changed to incorporate a net reduction of \$1,500.
- Recreation included a 4 percent increase for security.
- Thorp Barn needs clarification.

MOTION by Ms. Russell, seconded by Mr. Thornton, to approve an Animal Control Housing Agreement with the Humane Society for FY2007.

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

The next meeting of the Board was scheduled for Monday, 01/29/2007, at 7:00 p.m.

Agenda items included:

- Audit
- Budget
- Town Meeting Warning

12. BILLS AND WARRANTS

The Selectboard signed Bills and Warrants.

12. ADJOURNMENT

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

VOTE: 5 ayes; motion carried.

The meeting was adjourned at 9:55 p.m.

Respectfully submitted, Kathlyn Furr, Recording Secretary.

These minutes are subject to correction by the Charlotte Selectboard. Changes, if any, will be recorded in the minutes of the next meeting of the Board.