

**Town Of Charlotte
Selectboard Meeting
September 26, 2011**

APPROVED

Members Present: John Owen, Winslow Ladue, Charles Russell, Dennis Delaney (via video chat). Absent: Ed Stone.

Administration: Dean Bloch

Call To Order

Chairperson Russell called the meeting to order at 7:04 p.m.

Public Comments: None

Minutes from September 12 Meeting:

MOTION by Mr. Russell, seconded by Mr. Owen, to approve the 09/12/2011 minutes as amended.

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

Review traffic management plan for Tractor Parade; Discussion only:

Carrie Spear and Josh Flore present

Route map was reviewed. Comment was made that the unexpected rain last year caused some issues.

The parade will begin at Dave Nichols farm. This is also where there will be some parking and defined handicapped parking. American Tower also offered room for parking.

Ed Sulva from the Fire Department will be involved as well as the Ferrisburg Fire Department.

A motion was passed at last meeting – this is just a review.

Mr. Winslow asked about normal traffic – have Tractor Parade and detour signs been made? He stated that other events have had signs posted as much as a week in advance to warn traffic.

Ms. Spear stated that many signs have been made and plans were to post them the morning of the parade and will state closure from 1:30 – 2:30. She stated that the roads will be closed only when the time comes, or when the parade reaches that point.

Placement of all signs was discussed and more signs were requested.

Mr. Russell asked for a map of where the signs will be placed and an explanation of traffic direction. Mr. Flore said he would work on that with Ms. Spear.

Interview for vacancy on the Zoning Board of Adjustment:

Peter Rosenfeld – “Willing to serve”. Stated he had been to a previous hearing and was displeased. A trivial request was made and the Board over-complicated things. He said he felt like people are scared of the Board, that they are ultra conservative and need to be more citizen friendly. He has not previously served on a Board.

Daniel Raab – Not present.

Richard Weed – Stated he was impressed with the town plan. He has served on a Regional Planning Agency in CT. He feels that Zoning is to enable. Mr. Russell asked if he would make decisions based more on rules or common sense? Mr. Weed stated that he would vote to preserve the Town and would lean toward common sense.

Andrew Swayze – Has been to a Zoning Board meeting. Stated he felt that Planning is more creative than Zoning. He has never been involved, but is interested in land use and wants to contribute. Mr. Russell asked the same question about rules vs. common sense. Mr. Swayze stated that he would address issues through the rules or possibly try to get rules amended through the Planning Commission. Mr. Owen asked what skills he had and Mr. Swayze said he is a business person and a land owner and can understand the interests and needs the people. He also stated that he had spent time in Law School and can apply rules to codes.

Mr. Delaney asked Mr. Swayze to define common sense. Mr. Swayze made reference to the “reasonable man” and defined common sense as what the community would think to be the right course of action.

Dean Leary and Donna Fraser-Leary: Application for a Highway Access Permit (HAP-11-10) for an agricultural access on Greenbush Rd. *Action under consideration, approve application:*

Dean Leary present.

Mr. Leary stated that access was there before and had been taken out. Currently it is not feasible to use.

Mr. Owen asked if the access had been removed officially and Mr. Leary assumed it was not.

A map was reviewed and it was noted that currently you cannot get through with a vehicle.

There was discussion about moving the access closer to the woods.

Mr. Leary stated that there has been no objection from the neighbor.

Mr. Leary stated that 30 feet would not be adequate and asked if 40 feet would be ok – the answer was yes.

The filing fee was mentioned briefly and it was decided that was a separate issue.

MOTION by Mr. Ladue, seconded by Mr. Owen, to approve a Highway Access Permit (HAP-11-10), by Dean Leary and Donna Fraser-Leary, for an agricultural access on Greenbush Road, and for a 24 inch diameter by 40 foot culvert to be located at the temporary site, or 50 feet north of the property line.

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

John and Brigitte Helzer: application for a Highway Access Permit (HAP-11-09) for an agricultural access on Orchard Rd., and request \$100 fee waiver because the access existed but became unusable due to roadside ditching. *Actions under consideration: waive application fee, and (in separate motion) approve application:*

It was stated that the road has been re-graded and there is now a ditch.

Some use the neighbors driveway to access.

Would like to grade out or build a culvert.

MOTION by Mr. Ladue, seconded by Mr. Owen, to approve a Highway Access Permit (HAP-11-020 by John and Brigitte Helzer for an agricultural access at 1404 Orchard Road, and to install a culvert 15” by 30’, or smaller (15” by 20’).

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

MOTION by Mr. Ladue, seconded by Mr. Owen, to approve request by John and Brigitte Helzer to waive a \$100 fee for a Highway Access Permit because the access existed but became unusable due to roadside ditching.

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

Recreation Commission – annual review of activities and goals. *Discussion only.*

Bill Fraser-Harris and Carlie Krolick present.

Mr. Fraser-Harris stated that everything is running smoothly. Priority right now is compliance with the ADA beach inspection.

Would like to spread cost over several years and/or look for grants.

They need to upgrade the bath house and playground per the ADA requirements. They also need access for special needs.

Mr. Delaney asked who said these things are currently out of compliance and the answer was the League of Cities and Towns.

Mr. Owen asked what the cost was going to be. Mr. Fraser-Harris gave a ballpark figure of \$25-30K. He stated that they would like to allocate a portion of the \$3K budget over a few years.

Mr. Ladue asked how long it would take to assess everything that needs to be done. Mr. Fraser-Harris explained that they had just received this information; it will be assessed and priced and would be ready by budget season. He also stated he can break out how much can be grant funded.

There was discussion about bike/road safety concerns. There is a meeting tomorrow that Recreation wants to be a part of.

Mr. Ladue brought up considering a proposal to stripe the roads for bikes and pedestrians. Cost for this is a big concern.

There was discussion about events coming to the town that need to be discussed and being able to get a handle on the safety of these events especially if we don't know about them if they are originating in another town. Mr. Fraser-Harris said he would be talking to Jim Warden about communication and about what roads can be closed legally – for example during the recent triathlon, Dorset St. essentially was made a dead end.

Discussion started about untrained volunteers at events and if we were breaching VT law regarding trained vs. untrained volunteers.

A suggestion was made to set up training and encourage volunteers to attend, but that if the event originated in another town, we have no control.

A question was asked about the status of the horse-shoe pits. Mr. Fraser-Harris stated that they are looking for something to replace them and that volley ball has been suggested. They want a plan in place before digging them up.

Charlotte Housing Trust Committee – annual review of activities and goals.

Discussion only:

Gordon Brown, Robin Pierce, Eleanor Russell present

Annual grant cycle – looking at 2 applications – recommendation by December.

Problem/concern at hand – Steven Davis is working in a 4 unit project and has a construction grant for 3 – wants \$10K for a 4th. Recommendation is to stick to policy (\$30K) is the limit, and not grant the additional \$10K.

Mr. Ladue asked Ms. Russell to graph the year and the number of approved grants to watch the progress.

There was discussion about available money and grants upcoming/approved.

Mr. Delaney asked about the grants being in round numbers – are they broken down?

Ms. Russell stated that she would detail the expenses and produce the invoices.

Mr. Russell asked if there are more people approaching them for funding and Ms. Russell said yes.

Repair of “Welcome to Charlotte” signs. *Discussion only:*

Signs on both ends of town have been covered with graffiti. The Grange will not make repairs.

There was a suggestion to make new signs using cleanable materials and there was discussion of a contest to design new signs. Mentioned that next year is 250 anniversary and that could be part of the new design.

Steven Brooks will attend the next meeting to discuss.

David and Carlie Krolick: request to be reimbursed \$500 filing fee for Appeal (ZBA-11-06) regarding Zoning Permit(11-15-TM) issued to Anders Holm and Andrea Fossati. *Action under consideration: reimburse fee:*

Garage with variance – permit to build new appealed. The plans were changed and the appeal was not needed and withdrawn.

Mr. Owen asked if this has been done before. Mr. Russell noted that fees have been refunded in the past.

In the event that the permit should not have been granted, it is grounds for a refund.

There was discussion around what should be considered as part of the refund, and what portion should be refunded.

It was noted to make sure decision is consistent for the next time.

The question was asked if people get money back if the appeal is won – answer was no.

MOTION by Mr. Owen, seconded by Mr. Ladue, to approve a request by David and Carlie Krolick to refund \$400 of a filing fee for an Appeal (ZBA-11-06) regarding Zoning Permit (11-15-TM) issued to Anders Holm and Andrea Fossati. VOTE: 4 ayes, 1 absent (Mr. Stone); motion carried.

Trail Easements on the Charlotte Berry Farm. *Actions under consideration:*

- *Approve public notice required by 24 VSA 1061 to extinguish a trail easement by conveyance to Bradley and Polly Simpkins in return for their conveyance of a different easement to the town.*
- *Authorize reimbursement of up to \$600 for legal fees charged to Bradley and Polly Simpkins associated with the trail easement swap.*

Mr. Ladue motioned to combine the 2 actions. Mr. Bloch recommended to keep them separate. Mr. Ladue withdrew the motion.

Actions were reviewed – had been written by the Town Attorney.

MOTION by Mr. Ladue, seconded by Mr. Owen, to approve a public notice required by 24 VSA 1061 to extinguish a trail easement by conveyance to Bradley and Polly Simpkins in return for their conveyance of a different easement to the town as presented.

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

MOTION by Mr. Ladue, seconded by Mr. Owen, to authorize a reimbursement of up to \$600 for legal fees charged to Bradley and Polly Simpkins associated with the trail easement swap as presented.

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

Town wastewater pump station repair. *Action under consideration: Authorize replacement of pump and related repairs for \$6,000:*

There are 2 pumps in the station and 1 has failed.

The system as built is not easy to repair.

The cost is \$6K + which includes pumping.

It was questioned if this was an emergency and it was agreed that it's important, but not necessarily an emergency (until the other pump fails).

Mr. Ladue asked if we could go out for other bids or solutions and it was agreed that another bid would be beneficial.

Mr. Delaney asked if we have used this company in the past and if we were satisfied with the work, and was it done correctly; the answer was yes.

Also discussed was where the money would come from; it was decided it would be from "unanticipated" or from the Town Hall line item.

There was agreement to get another estimate and discuss next week.

Executive Session and Adjournment

MOTION by Mr. Delaney, seconded by Mr. Ladue, to adjourn the regular meeting and enter Executive Session, for the purpose of discussing Appointments to the Zoning Board of Adjustment, and to invite the Selectboard Clerk to attend.

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

The meeting was adjourned and the Board entered Executive Session at 9:00 p.m.

Minutes taken by Sarah Guilmette