

**CHARLOTTE SELECTBOARD
MINUTES OF MEETING
TOWN HALL
August 5, 2019**

APPROVED

SELECTBOARD MEMBERS: Chair Matthew Krasnow, Vice Chair Frank Tenney, Fritz Tegatz, Louise McCarren, Carrie Spear

ADMINISTRATION: Dean Bloch, Town Administrator

OTHERS: Scooter MacMillan, Juliann Phelps, Lane Morrison, Peter Joslin, VCAM, Dave Marshall, James Hyde, Ben Mason, Jeff Herzberger, Peter Regan, Andrea Regan, Peter Carreiro

AGENDA ITEM:

6:00 PM Village wastewater system/ordinance

CALL TO ORDER

Chair Matthew Krasnow called the meeting to order at 6:04 p.m.

Village wastewater system/ordinance

Dave Marshall of the Wastewater Committee discussed the packet submitted to the Selectboard.

Specifically the packet prepared by Civil Engineering Associates, Inc. included the following.

1. Draft Sewer Allocation Ordinance
2. Draft Sewer Use Ordinance
3. Frequently Asked Questions document
4. Process Summary
5. Cost Summary relative to other communities
6. Basis of Cost for Cost Recommendations

Fritz said there has been a considerable amount of time and energy put into planning and zoning and the changing desires of the Town and it all hinges on village wastewater. He said this new system will allow for some movement. He said it is a significant Town asset and it follows what is written in the Town Plan.

Matt said this meeting is intended to be a work session with public input.

Dave spoke about how to apply to tie in to the new system and the need for a complete engineering study to support such a request. He spoke of the process and the SB's review of applications. For example, affordable and senior housing are both in the Town Plan

and would meet the required standard, Dave said. A technical application would then need to be submitted. A preliminary allocation could be used in the state permitting process. The SB would serve as the sewer board, much like the liquor board, for allocation, use ordinances, and State permitting. Charlotte has one stop shopping for these issues, he said. Once the Town approves and the State issues a permit, a final connection fee is paid to the Town.

Charlotte currently has a 5,000 gallon capacity and can allow for 6,500 with no changes to the system, Matt said. A permit is in the works for that. The system could be increased to 15,000 gallons with additional construction. There are also satellite areas where the Town could add additional capacity.

The original construction cost was about \$125,000. Inflation and depreciation were incorporated into the calculation of connection fees, so new users will pay for a fair share of the original cost.

Going forward, this could make use of the State of Vermont's new basis of design. Dave spoke of tools available to gauge sewer flow for the Town to make sure actual use is consistent with allowed allocations, and so future users are paying their appropriate share.

Dave spoke about the Health Center and Children's Center wanting to tie into this proposed municipal system. There is land that could be used for wastewater disposal, but construction of a system is prohibitively expensive. The circumstances for their situation can be looked at by the SB to make prudent decisions on what makes sense, he said. The ordinances provided checks and balances but the document is flexible.

The Planning Commission is their first step to check zoning by-laws and the like, Dave said. It is a foundation for a request, then the SB can build on that and get into the details. The committee tried to create a multiple step process. A transparent process with multiple input from multiple town groups to enable a prudent Town discussion and process.

Louise asked about feasibility. She questioned the language in the document. Fritz said the language is there to have applicants utilize their own parcel for wastewater before applying for a tie in. Feasibility pertains to being permittable. Louise said to define the term feasibility more clearly in the document.

Peter Joslin said the Health Center and the Children's Center changed the committee's approach to feasibility. The applicant should be able to make their case as to why this is good for the Town. Every case is going to be different, he said.

Dave said the committee envisions a legal review to fill in the holes, to make sure the ordinance is as polished as possible.

Dave said wastewater cannot be done in Vermont without a permit from the State. It needs to be clear what the requirements are, he said. The Town is in the business of wastewater on behalf of the State of Vermont.

Frank asked about requirements for senior and affordable housing. Peter Joslin said there are requirements already in place. Frank said the zoning regulations might need updating. Peter suggested using the Town Plan as the guide. Frank said he wanted to make sure things were defined and that they fit into the rules the Town is attempting to adopt.

Frank mentioned change-of-use language in the document. Single family dwellings can't be on the system, he said. What if a structure falls out of not being affordable and turns residential? He asked. Fritz said worst case scenario is they can be expelled. Frank asked that the terms be consistent. Dave said the term change-of-use was defined the same across all documentation the committee worked on.

Home occupations were discussed. Peter said it gets a little bit complicated with home occupations in rural areas. Matt said the SB can deny applications in the face of complications.

Dave referred to the wastewater map. He pointed to the limited areas where it is offered and said the SB is not in the business of doing the zoning administrator's job but have simply delineated the two service areas for these public resources.

Frank asked about a few typos concerning numbers in the document.

Jeff Herzberger of the Children's Center said feasibility has become a large issue for the Children's Center and Health Center. Andrea Regan said the Health Center can't purchase their land without a wastewater plan.

Peter Joslin said this is where the flexibility comes in to plead their case to the PC and SB. Fritz said he availability of wastewater impacts the value of the land to be sold. The land is cheaper without wastewater, so there could be money there to develop their own. The land would be much more expensive with established wastewater. It changes in the free market what the parcel is worth.

Frank said staying consistent with the current zoning bylaws is important. Matt said the primary service area should match the zoning map. Dave said the zoning areas were an important component to their work on the document and an official map will need to be adopted for the village commercial district. The discussion needs to be had during this vetting process, Dave said. Andrea said there are properties partially in the zone and there needs to be wording to express how these properties are dealt with.

Carrie asked about the property given to the Children's Center from Happy Patrick for wastewater and why that land was not being used for wastewater. Peter Joslin said it became cost prohibitive to do that and that they should have a chance to make their case for the betterment of the Town.

Dave said this is a process of molding public policy to direct the Town in the way it wants to go according to the Town Plan. Nothing says this has to be the final version, he said. This is just a recommended version. It is part of the process.

More typos were found by Frank. Application language needs to be consistent, he said.

The allocations and ordinances page was discussed. Matt asked about site visits. Fritz said the committee had not discussed it but that there was an assumption the PC would handle that.

Dean asked about the process of denial and asked about getting support from the PC. Peter said they would do a site plan anyway. Fritz said the process was set up to ensure five people aren't making these important decisions with such a valuable Town asset. It is designed to help spread the process out over committees to make it honest and to eliminate the appearance of impropriety.

Minor typographical edits by Louise will be sent to Dean.

Discussion to be continued on Aug. 12 and 26.

Carrie thanked Dean for the train station being painted.

MOTION by Frank, seconded by Louise, to adjourn. VOTE: 5 ayes; all in favor; motion carried.

ADJOURNMENT

The Selectboard meeting was adjourned at 9:01 p.m.

Minutes respectfully submitted, Lynn Monty, Recording Secretary.