

**CHARLOTTE SELECTBOARD
MINUTES OF MEETING
TOWN HALL
FEBRUARY 25, 2019**

APPROVED

SELECTBOARD MEMBERS: Lane Morrison, Chair; Fritz Tegatz, Frank W Tenney.

ADMINISTRATION: Dean Bloch, Town Administrator.

OTHERS: Jessie Bradley, Louise McCarren, Sue Smith, Peter Joslin, Jenny Cole, Gerald Bouchard, John Quinney, Marty Illick, Suzy Hodgson, Emily Nosse-Leirer, Julian Kulski, Jim Faulkner, Vickie Zulkoski, Deirdre Holmes, Michael Yantachka, Rebecca Foster, Nancy Rickert, Andrew Millikan, Abby Foulk, Hugh Lewis Jr, Scooter MacMillan, The Citizen; and others.

AGENDA:

- 6:05 PM Opening of bids to replace the westerly section of fence around the Barber Hill Cemetery (West Burying Ground)
- 6:15 PM Public Hearing for proposed amendment to the Town Plan (primarily related to energy use, generation and siting)
- 7:15 PM Charlotte Park and Wildlife Refuge Management Plan—update
- 7:45 PM Food Scrap Survey
- 8:00 PM Road Commissioner
- 8:20 PM Notice of Vacancies for Town Committees
- 8:25 PM Selectboard schedule for March
- 8:30 PM Tenney Enterprises—renewal of 2nd Class License to Sell Malt and Vinous Beverages, May 1, 2019 – April 30, 2020 (to be acted on as Board of Liquor Control)
- 8:35 PM Minutes: February 11, 2019

CALL TO ORDER

Mr. Morrison, Chair, called the meeting to order at 6:02 p.m.

ADJUSTMENTS TO THE AGENDA

Add: Carrara Appeal of a ZBA Decision

PUBLIC COMMENT

Peter Joslin, Charlotte Planning Commission Chair, reviewed that at the Thursday Planning Commission meeting the commission heard the Charlotte Health Center and the proposed Library Addition Sketch Plan Review applications. During the discussion parking challenges came up for the Library addition that will result in less parking spaces. The Health Center discussion included new parking areas. It could be a financial benefit to tie in Town parking spaces with the Health Center plan, suggested Mr. Joslin.

Mr. Morrison said that it is logical to have a parking area east of the fire station. A question is where the health center building will be located, said Mr. Morrison. Mr. Joslin

replied that a location along Ferry Road between the fire station and the Children's Center has been selected.

Mr. Tegatz said that there have been numerous discussions regarding municipal parking planning, including on Ferry Road. Mr. Tenney pointed out that Senior Center parking needs was the start of discussions originally. Mr. Tegatz said the Town Plan encourages West Village development. If you want development in the village and don't have public facilities, such as parking, then you don't have much to offer. The Town has to come up with something, said Mr. Tegatz.

Mr. Joslin said there are open areas behind the proposed Health Center that could be used for parking. Mr. Morrison said that it would require amenities, such as cross walks, traffic lights, or lower village speeds.

OPENING OF BIDS TO REPLACE THE WESTERLY SECTION OF FENCE AROUND THE BARBER HILL CEMETERY (WEST BURYING GROUND)

Mr. Morrison opened three bids regarding a Barber Hill Cemetery fence replacement project as follows:

- Gallop Brook Fencing, Enosburg, Vermont for a flat top fence design with one driveway gate at \$14,038.75; flat top fence design with two driveway gates at \$14,782.30; pressed spear design fence with one gate at \$14,038.75; pressed spear fence design with two gates at \$14,782.30
- Vermont Recreational Surfacing and Fencing, Barnet, Vermont for a flat top fence design with one driveway gate at \$14,264; flat top fence design with two driveway gates at \$15,179; pressed spear design fence with one gate at \$14,264; pressed spear fence design with two gates at \$15,179
- Middleburg Fence Company, Middlebury, Vermont for a flat top fence design with one driveway gate at \$14,122; flat top fence design with two driveway gates at \$14,700; pressed spear design fence with one gate at \$14,122; pressed spear fence design with two gates at \$14,700

Mr. Morrison asked Vickie Zulkoski, Cemetery Commissioner, to review the bids and make a recommendation at a future Selectboard meeting.

PUBLIC HEARING FOR PROPOSED AMENDMENT TO THE TOWN PLAN (PRIMARILY RELATED TO ENERGY USE, GENERATION AND SITING)

Mr. Bloch reviewed that this is the Selectboard's first public hearing regarding a proposed amendment to the Town Plan related to the Energy Section. Mr. Bloch thanked the Planning Commission, the Charlotte Energy Committee, Emily Nosse-Leirer (Chittenden County Regional Planning Commission representative), and the Charlotte Town Planner for their hard work and efforts. The proposed energy section is based on an enhanced energy plan, Section 248, Utility project, which had potential changes following a review, reported Mr. Bloch.

Mr. Bloch noted that there is not enough time to put adoption of the amended Town Plan on the March Town Meeting ballot.

Ms. Nosse-Leirer explained that the amendment document does meet all the state standards. The major item is to have the amount of energy the town uses now, the energy sources identified, and what it will take to meet the renewable energy goals by 2050. There is a section required as Action Items to move the Town to the 2050 goals. Policies and strategies are outlined for outdoor lighting standards, reducing transportation using fossil fuel offsets by large increases in electric vehicle use, keeping energy use low by increasing development within the village centers and reducing rural development, and developing and siting renewable energy systems. Policies in the plan are needed that apply to all energy sectors and incorporates Public Utility Service language into existing Town policies. It sets generation targets. Mapping Standards includes existing solar/wind generation sites, natural resources, and areas considered as preferred sites for energy generation. In Vermont net metering rules are preferred sites, such as roof tops, parking lots, quarries, sand, and gravel pits. There are two different ways municipalities can be involved: identified preferred sites, or a joint letter process requesting preferred sites between a land owner and a municipality, explained Ms. Nosse-Leirer.

There was lengthy discussion regarding Map #13, constrained sites that had prime agricultural soils, waterways, and state identified areas, Map #14 and Map #15.

Suzy Hodgson, Energy Committee member, pointed out that potential solar sites using parking lots are classified as preferred sites. Those sites are not labeled on the maps. We should look closer at how few preferred areas there are in Charlotte regarding incentivized and dis-incentivized sites. For example, points on one map identifies preferred sites that seem to follow lot boundaries where one lot is a preferred site, but a lot right next to that preferred site is left out. How many areas are preferred sites. We may want to consider language for larger areas of incentivized sites. An incentivized site is \$0.01 per kW hour while a dis-incentivized site is -\$0.03 per kW hour for a \$0.04 difference. This is in the state regulations. The negative \$0.03 per kW house is in perpetuity. The mapped "yellow" areas in Charlotte can't get preferred site status unless the land owner goes through the letter process, said Ms. Hodgson.

Mr. Bloch said that Map #14 shows existing solar/wind renewable energy sites as yellow dots. The CCRPC was asked to revise Map #15 to break out systems by size. Mr. Bloch pointed to a 2 kW site, and a 15 kW site on Map #15. Star symbols are roof top mounted systems. Maps #15 and 16 are prime wind and solar sites. Yellow color represents solar potential sites with some constraints, and red color is prime solar free from constraints, explained Mr. Bloch.

Ms. Nosse-Leirer said that the yellow areas are GIS analysis data showing some possible solar development; there may be some areas not represented. For example, south of Ferry Road near the lake could be where prime agricultural soils stop.

Ms. Hodgson said that the maps make big distinctions between the yellow and red. When is the best time to talk about a color between the red and yellow, asked Ms. Hodgson. Ms. Illick said that the yellow only says "possible constraints", which means it may need

work. Ms. Nosse-Leirer said the data sources are solar data from VCGI, and wind energy potential sites from a Massachusetts group. She could add some more sources if that is helpful, suggested Ms. Nosse-Leirer.

Mr. Bloch said that Map #17 shows state known constraints listed in the standards and in the Town Plan. Map #18 has state possible constraints. All of Charlotte conserved lands and open space agreement areas are added. The maps show why so few prime areas are in Charlotte, said Mr. Bloch.

Ms. Illick said that Charlotte has worked hard to conserve land. There are natural features where you can't put things on it. White areas on the maps shows bare land that is suitable, said Ms. Illick.

Mr. Joslin said to reach state goals Charlotte has a 48 acre minimum low goal with a high goal of 104 acres out of the 26,000 total acres in Town. Ms. Nosse-Leirer said that there are municipal generation goals for each town that sets both a low and high goal target by 2050. That is 16,031 megawatt hours for Charlotte. Exhibits include pictures of possible generation facilities samples to meet them. For example, a high generation target would mean four large net metering systems, or 11 small net metering systems, said Ms. Nosse-Leirer.

Mr. Tenney asked for clarification of what could be built on the pink areas on Map #18. Mr. Bloch replied that if it is a Town open space agreement area then the Town could put in a system if it doesn't impede the use.

Mr. Tenney asked if Maps #14 and 18 could be merged. Mr. Bloch said yes. Map #18 includes white areas that are what is colored on Map #14. The Map #14 pink areas are prime wind/solar sites capable of generating solar or wind. He has asked that a note be added on Map #14 that "...the Town has not reviewed the sites and are not on a site specific level...."

Ms. Illick asked if the maps were merged, do the red spots and pink spots indicate the white areas. Ms. Nosse-Leirer said that is the presence of constraints, and it may take more land to avoid the constraints.

Ms. Illick asked if these are the maps we want in the Town Plan now. Mr. Joslin said the limitation is that the maps are not that site specific without delineating every acre on the map. The Planning Commission views maps as changing over time, said Mr. Joslin.

Ms. Hodgson asked why can't expand the pink dots. Colchester has identified preferred sites using a different approach. They have a list of features they are looking for as preferred sites, or not. Colchester uses a point system that captures the features. It is not adopted yet and she has not seen it in action, said Ms. Hodgson.

Mr. Bloch said that it seems like a good process. If towns are required to have mapping to comply with the state net metering then it is not workable. Ms. Nosse-Leirer said that it is

not necessary to map. Ideally, in end should you should be able to say net metering (areas) are identified by the town in the Town Plan, said Ms. Nosse-Leirer.

Mr. Tegatz asked what if a preferred site is found at a future time. Ms. Nosse-Leirer replied that you can add a preferred site at any time through the letter process, by amending the Town Plan, or through the process discussed. A question is if a site is designated as a preferred site. Ms. Nosse-Leirer explained the process seen at the regional level regarding joint letters that go through the letter process where a land owner applies for a level of public good. A letter is locally approved on the regional level, said Ms. Nosse-Leirer.

In response to a question regarding how much information is wanted on a map, Ms. Illick said she supports a graphical display in more general terms versus explicit designations as shown on the proposed maps. Mr. Joslin said it seems they are starting points and needs language, such as “there is a process...and can change in the future.”

Staff to add a language disclaimer that is “...the color points are a vicinity” that shows prime spots in a more generalized area.

Mr. Joslin suggested clarifying that this is a process through the Selectboard, Planning Commission and the CCRPC and that it is flexible. The maps of constraints and state known constraints works well. There is language that goes with a map that are very site specific. Each subdivision in Charlotte is unique regarding areas of high public value, noted Mr. Joslin.

Rebecca Foster suggested having someone go through acre by acre to come up with what is developable, or not. Has any town done this, asked Ms. Foster. Ms. Nosse-Leirer replied that it would be a labor intensive process. It is related to the subdivision process. You could look at what resources you are protecting, or developable as a site fit for energy. It is hard to map all natural resources in a realistic way, said Ms. Nosse-Leirer.

John Quinney asked what the total requirements are. There are 26,000 acres in Charlotte and only 48 are needed. Identify what should be on Map #14. This is the first hearing. After the second hearing the Selectboard can't make changes without holding a third hearing, said Mr. Quinney, and suggest continuing the first hearing to clarify the mapping issues.

Mr. Morrison said this is more a case-by-case versus acre-by acre. Make map #14 with boarder yellow areas as a place holder in the plan, and make the pink areas more general and add a disclaimer note.

Ms. Nosse-Leirer will revise the maps.

MOTION by Mr. Tegatz, seconded by Mr. Tenney, to continue the First Hearing regarding a proposed amendment to the Town Plan related to energy use, generation and siting to the March 25, 2019 Selectboard meeting.

VOTE: 3 ayes, 2 absent (Ms. Spear, Mr. Krasnow); motion carried.

**CHARLOTTE PARK AND WILDLIFE REFUGE MANAGEMENT PLAN—
UPDATE**

Jessie Bradley, Jenny Cole, Sue Smith, Andrew Millikan, Julian Kulski, Charlotte Park and Wildlife Refuge Oversight Committee members, reviewed proposed changes to the Charlotte Park and Wildlife Refuge Management Plan.

Ms. Bradley noted that Andrew is working on updating the park website with the new and old management plans for the public review.

Mr. Tenney asked if access on the Varney Farm has been clarified regarding parking locations. Ms. Bradley said that she has talked with the new owner of the Varney Farm. There has been no defined easements on the property. It is important to have the legal language in the document, and Exhibit 3 shows the deeded right-of-way on the property, said Ms. Bradley.

Fritz asked what the Thorp Barn is used for. Ms. Cole explained that the barn has had some foundation stabilization work done and is used for storage. More work needs to be done on the barn, said Ms. Cole.

Ms. Bradley said that the committee has included a general maintenance budget. There are no costs associated with the leased agricultural land. Regarding the Index of Exhibits, the exhibits are on the website, said Ms. Bradley.

SUGGESTIONS/CHANGES:

- Page 3, Management Structure – add a sentence that the management plan will be reviewed “as recommended to review the management plan every 5 or 10 years, or as necessary.”
- Table of Contents – add page numbers
- Appointment of Charlotte Park and Wildlife Refuge Oversight Committee members – term of service to be recommended by the committee as per the Charlotte Selectboard

MOTION by Mr. Tegatz, seconded by Mr. Tenney, to approve the draft 2019 Charlotte Park and Wildlife Refuge Management Plan, dated 02/25/2019.

DISCUSSION:

Mr. Bloch suggested that the Charlotte Park and Wildlife Refuge Oversight Committee return to the Selectboard with term recommendations at the Selectboard’s March 25th meeting. Terms should be staggered, said Mr. Bloch.

VOTE: 3 ayes, 2 absent (Ms. Spear, Mr. Krasnow); motion carried.

The Selectboard thanked the Oversight Committee members for excellent work.

FOOD SCRAP SURVEY

Abby Foulk reported that she has discussed a survey regarding household food scraps diversion with Ms. Spear and others. The survey will ask for Town input and support for Town options, such as a drop-off center, or hiring of an independent hauler(s). The survey will use a combination of an on-line survey and a paper format. She will advertise the survey in the local newspapers and write a news article, said Ms. Foulk.

Mr. Morrison asked she planned to identify one hauler since there are 4-5 companies. Ms. Foulk replied that curb-side collection of food scraps would be a bid process. The process requires more conversation, said Ms. Foulk.

Ms. Smith asked how animals will be kept out of the collection bins if there is a drop-off site. Ms. Foulk explained that currently there is a one day drop off at CCS now. Toters are used and there have been no issues with animals. There are different strategies to deal with issues; for example, bio-filters can be used to control odors. Whatever collection method is used will require some management to make it work, said Ms. Foulk.

SUGGESTIONS/CHANGES:

- Add “optional” on the name line

MOTION by Mr. Tenney, seconded by Mr. Tegatz, to approve the release of a Food Scrap survey in accordance with a plan as presented by Abby Foulk, with amendments to add the word “optional” on the name line.

VOTE: 3 ayes, 2 absent (Ms. Spear, Mr. Krasnow); motion carried.

ROAD COMMISSIONER

Hugh Lewis, Jr, Charlotte Road Commissioner, explained that he has received some phone calls from residents regarding winter road conditions. Currently a 25 percent salt/75 percent sand mix is used on blacktop roads. Surrounding towns use different mixes on winter roads. For example, Shelburne uses calcium chloride and Hinesburg uses a ‘clear lane’ salt mix. At the 2001 Town Meeting Charlotte residents approved a non-binding ballot vote to use sand with a little salt, said Mr. Lewis.

Mr. Lewis said that more salt could be used for road safety. Sand usually ends up in ditches. If more salt is used then more storage space will be needed. He is not sure that the current salt shed could be expanded. At this time of year it would take 2-3 weeks before delivery of additional salt could be made, explained Mr. Lewis.

Following further discussion, the Selectboard members suggested to leave it up to the public to bring up the topic at the March 5, 2019 Town Meeting.

NOTICE OF VACANCIES FOR TOWN COMMITTEES

Mr. Bloch briefly reviewed that a notice of vacancies for Town committees will be posted.

Mr. Tenney requested adding a position for an Alternate Zoning Board of Adjustment member to fill in when absent members can not attend a hearing. Mr. Bloch said that the Land Use Regulations and Zoning Bylaws will need to be amended., said Mr. Bloch.

CHANGES/SUGGESTIONS:

- Staff to contact the Vermont League of Cities and Towns regarding a request to add an Alternate Zoning Board of Adjustment position
- Add a vacancy for a Town Auditor (a current member's term is ending March 5, 2019)

SELECTBOARD SCHEDULE FOR MARCH

- March 4, 2019 – Town Meeting Informational Meeting
- March 5, 2019 – 2019 Town Meeting
- March 7, 2019 – Special Meeting at 7:00 p.m., Selectboard organization, approve April budget ballot
- March 11, 2019 – Regular Selectboard meeting, 7:00 p.m.
- March 25, 2019 - Regular Selectboard meeting, 7:00 p.m.

TENNEY ENTERPRISES—RENEWAL OF 2ND CLASS LICENSE TO SELL MALT AND VINOUS BEVERAGES, MAY 1, 2019 – APRIL 30, 2020 (TO BE ACTED ON AS BOARD OF LIQUOR CONTROL)

Deferred to the next Charlotte Selectboard meeting.

MINUTES: February 11, 2019

MOTION by Mr. Tegatz, seconded by Mr. Tenney, to approve the Charlotte Selectboard minutes of February 11, 2019, as written.

VOTE: 3 ayes, 2 absent (Ms. Spear, Mr. Krasnow); motion carried.

APPEAL OF A ZBA DECISION BY CARRARA

MOTION by Mr. Tegatz, seconded by Mr. Tenney to authorize the Town Attorney to enter an appearance on behalf of the Town of Charlotte regarding an appeal of a ZBA decision, ZBA-18-207-VA, as presented.

VOTE: 3 ayes, 2 absent (Ms. Spear, Mr. Krasnow); motion carried.

SELECTBOARD UPDATES

Mr. Bloch reported that a March 27, 2019 workshop will be held in Burke, VT.

Mr. Morrison reported that the Library Trustees and the CVFRS will hold presentations regarding Article 3. Mr. Morrison will narrate a short presentation at the public informational meeting on Monday, March 3, 2019.

Mr. Tegatz asked if this is the last year that the Town Charter will be in effect. Mr. Morrison replied that there is one more year for a vote, then letting the Charter sunset is the right thing to do.

APPROVE WARRANTS TO PAY BILLS

The Selectboard approved warrant to pay bills,

ADJOURNMENT

MOTION by Mr. Tegatz, seconded by Frank, to adjourn the meeting.

VOTE: 3 ayes, 2 absent (Ms. Spear, Mr. Krasnow); motion carried.

The meeting was adjourned at 8:30 p.m.

Minutes respectfully submitted, Kathlyn L. Furr, Recording Secretary.