

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

APPROVED

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

ADMINISTRATION: Dean Bloch, Town Administrator

OTHERS: Scooter MacMillan, Sue Smith, Hugh Lewis, Jr., Laurie Thompson, Mark Dillenbeck, Chris Fortin, Kate Lampton, Robin Pierce, Chris Davis, Dave Marohme, Adam Danielson, Vanessa Koval, Deirdre Holmes, Matt Burke, Bill Harris, Gregory Smith, Viki Zukoski, Megan Price, Chris Falk, Pete Joslin, Chris Oillette, Rayne Herzog, Steve Schubart, Jim Donovan, Suzy Hodgson, Rebecca Foster, John Quinney, Eddie Krasnow, Ed Cofferty, Robert Smith, Margaret Woodruff, Mica Krasnow

AGENDA:

6:00 PM Adjustments to the agenda

6:01 PM Interviews for Appointments

Dave Marshall—reappointment to West Charlotte Village Wastewater Committee for term ending April 30, 2021

Kate Lampton—reappointment to West Charlotte Village Wastewater Committee for term ending April 30, 2021

Chris Davis—reappointment as Emergency Management Director for term ending April 30, 2020

Deirdre Holmes—reappointment to the Energy Committee for term ending April 30, 2021

Matthew Burke—reappointment to the Energy Committee for term ending April 30, 2021

Mark Dillenbeck—reappointment as Tree Warden for term ending April 30, 2020

6:20 PM Closure of Lake Road between Thompson's Point Road and Converse Bay Road for removal of Ash Trees

6:30 PM Request for Bids to Reconstruct Playground at the Town Beach

6:45 PM Selection of contractor to replace the westerly section of fence around the Barber Hill Cemetery (West Burying Ground)

7:00 PM Public Comment

7:05 PM Opening of bids for mowing and brush-hogging contracts

7:15 PM Opening of agricultural lease proposals for Thompson's Point

7:20 PM RaceVermont.com—application 5K, 10K & ½ Marathon on September 7, 2019 on Orchard Road and Lake Road

7:25 PM Cycle4 CMT—application for fundraising bicycle ride on August 25, 2019 on Greenbush Road, Ferry Road, Lake Road, Spear Street Hinesburg Road, Mt. Philo Road, Church Hill Road

7:30 PM Continuation of Public Hearing for proposed amendment to the Town Plan (primarily related to energy use, generation and siting)

8:35PM Appeal by Carrara of ZBA 18-207-VA—consideration of making a request for remand from Superior Court Environmental Division (Docket No. 28-2-19 Vtec); possible executive session for pending litigation

8:40 PM KR Properties, LLC—revision to Open Space Agreement; Fire Pond Agreement, Waiver and Easement; Roadway Agreement & Waiver

8:45 PM Clark Hinsdale, III—revision to Open Space Agreement on parcel north of Charlotte Solar installation, northwest of intersection of Hinesburg Road & Spear Street

8:50 PM Minutes: February 25, March 11

8:55 PM Selectboard updates

9:00 PM Approve warrants to pay bills

9:05 PM Adjournment

CALL TO ORDER

Chair Matthew Krasnow called the meeting to order at 6:02 p.m.

ADJUSTMENTS TO THE AGENDA

There was one committee interview rescheduled for April 8 to keep all of the Planning Commission applicants are together.

Interviews for Appointments

Dave Marshall—reappointment to West Charlotte Village Wastewater Committee for term ending April 30, 2021

Dave is with Civil Engineering Associates and said he is looking forward to completing the draft ordinances that are up for review and looks forward to assisting the Town. Carrie requested a copy of the current draft he is working on. Matt said Dave's input and volunteer work with the Town has been valuable.

Motion to approve the Request to Reappoint Dave Marshall to West Charlotte Village Wastewater Committee for term ending April 30, 2021 by Fritz. Frank seconded. Vote: 4-0; the motion passed.

Kate Lampton—reappointment to West Charlotte Village Wastewater Committee for term ending April 30, 2021.

Kate said she is close to getting to the end of what they have been working on and looks forward to its completion.

Motion to approve the Request to Reappoint Kate Lampton to West Charlotte Village Wastewater Committee for term ending April 30, 2021 by Carrie. Fritz seconded. Vote: 4-0; the motion passed.

Chris Davis—reappointment as Emergency Management Director for term ending April 30, 2020

Chris said he has been working with Dean on a new emergency preparedness plan and will have a draft soon. Future events were discussed.

Motion to approve the Request to Reappoint Chris Davis as Emergency Management Director for term ending April 30, 2020 by Fritz. Frank seconded. Vote: 4-0; the motion passed.

Deirdre Holmes—reappointment to the Energy Committee for term ending April 30, 2021

Deirdre said she had been on the committee for two years and is enjoying it. They have divided into subcommittees and she is working on the Town Plan which is a significant amount of work, she said.

Motion to approve the Request to Reappoint Deirdre Holmes to the Energy Committee for term ending April 30, 2021 by Frank. Carrie seconded. Vote: 4-0; the motion passed.

Matthew Burke—reappointment to the Energy Committee for term ending April 30, 2021

Matt said the committee has spent a lot of time working with the regional committee and there are still a lot of questions particularly with implementation.

Motion to approve the Request to Reappoint Matthew Burke to the Energy Committee for term ending April 30, 2021 by Frank. Carrie seconded. Vote: 4-0; the motion passed.

Mark Dillenbeck—reappointment as Tree Warden for term ending April 30, 2020

Mark explained that he is in the middle of the Town's EAB preparedness plan. He said he would like to take care of that work and then move on to something more positive like planting trees. Sue Smith has been a real delight to work with, Mark said. He added, she is the energy behind the tree warden program.

Motion to approve the Request to Reappoint Mark Dillenbeck as Tree Warden for term ending April 30, 2020 by Fritz. Carrie seconded. Vote: 4-0; the motion passed.

Closure of Lake Road between Thompson's Point Road and Converse Bay Road for removal of Ash Trees

In a response to the RFP sent out, one of the contractors asked to close the road Thompson's Point Road and Converse Bay Road for removal of Ash Trees so the contractor could do the job more easily. Fritz asked how much money this could save. Matt said flaggers charge upwards of \$50 an hour. Dean said he spoke to the post office and school and they said they would work around the closure between the daytime hours of 8 and 3. Dean said he would email an addendum to the RFP that there is no need to flaggers. Dean said he would post it on the website.

Motion to send out an addendum to the RFP for the road closure of Lake Road between Thompson's Point Road and Converse Bay Road for removal of Ash Trees by Frank. Carrie seconded. Vote: 4-0; the motion passed.

Robert Mack raised concerns about the wood at the flea market and townspeople running chainsaws. Dean said the wood issue is an item on another agenda. More discussion ensued about what, where and when the wood would need to be moved and by whom and Junior said we have until mid-June to take care of it. At this point the logs are being left on the road and the chips are going to the flea market, he said. Matt said he appreciated the feedback. Adam asked about who is responsible for cleaning up the debris at the flea market. Matt said that is a good moving piece to coordinate. Adam said there is an equipment impact to consider. Dean said there is a site visit scheduled for Wednesday at 8:30 AM.

Request for Bids to Reconstruct Playground at the Town Beach

The expectation is the reconstruction will be completed by Aug. 31, Nicole Conley said. Fritz asked about the payment schedule and not paying for any off site materials. Matt said he had edits to the RFP and those were discussed. The playground footprint was discussed and how to best represent that in the RFP with language and maps. Sue Smith asked about the trees. Bill Frasier-Harris said the plan is not to remove trees but that their department will accept responsibility to move them with permission from the tree warden. Sue suggested plastic to protect trees. Bill agreed.

Motion to approve Request for Bids to Reconstruct Playground at the Town Beach as corrected by Frank. Fritz seconded. Vote: 4-0; the motion passed.

Selection of contractor to replace the westerly section of fence around the Barber Hill Cemetery (West Burying Ground)

All bids have been received. These were for aluminum and steel fencing options. There were four bids from three different companies. Victoria said all three companies had fantastic recommendations. There was discussion about responsiveness and open communication of each company. Victoria said based on the softer issues and not the numbers she would prefer to work with Vermont Recreational Surfacing and Fencing. She brought visual aids of the fencing to show the board. Steel has the added advantage of withstanding casual knockabouts, she said. Both aluminum and steel have roughly the same life span and are maintenance free. The cemetery gate was discussed and Victoria explained that there are stone steps at two locations and no one uses one of the locations and that she does not suggest drive gates at both. She said she hopes this can be completed by June 30. Someone asked if there are any plots available. Victoria said, yes and no. There are two plots, for Larry Hamilton and Linda. There are some small spaces. A ground penetrated radar survey was done so the Town knows where all of the remains are located. Charlotte is pretty much out of cemetery space, she said. None of the bidding companies were present. Matt suggested going with industrial grade aluminum and one drive gate. The highest bidder was the preferred bidder but Fritz asked if Middlebury Fence was the original company out to see the site. The answer was yes and Fritz suggested this might be the reason for their lax communication style since they have been in the loop for a long period of time.

Motion to Select Middlebury Fence's bid at \$16,000 to replace the westerly section of fence around the Barber Hill Cemetery (West Burying Ground) by Fritz. Carrie seconded. Vote: 4-0; the motion passed.

Public Comment

Megan Price from Ferry Road sat up front to tell the board about her concerns regarding the speed limit that was raised a few years ago. She said she is requesting two signs. "The problem is texting. They are going to kill me when I get my mail," she said. She explained the dangers on top of texting and driving on this stretch of road are that there are no road shoulders and the sun goes east and west impairing vision. She has witnessed six cars off of her side of the road and numerous slaughtered wildlife that include turtles, turkey and deer. She said the state claiming Vermont is bike-friendly is dangerous. She said bikers will be killed on the stretch of road near her home and it will be the Town's fault if they don't act.

Robert Mack said there is not enough money in the budget for the cemetery fence just voted on. Matt said there are places to get the money in the budget.

Peter Joslin brought up the issue of town parking. The Planning Commission is in the process of a major PUD for the health center and there is a sketch plan for the library. This is a good time for the Selectboard to address the parking issues in town. The library will be short their minimum requirement and they may lack required parking spaces, Peter said. He suggested a subcommittee to address this to take a hard look at it.

Peter said the proposed driveway for the health center could easily be a town road. Fritz said the Town Plan directs the Selectboard to do what they can with the village area. To proceed forward there are options, he said. Last year they decided a state study on the subject cost too much but that they will have to do it at some point.

Matt said it is a good idea to form a subcommittee and asked if someone wanted to spearhead this. Frank said it is a great idea and since he has knowledge of land use regulations he would. Matt asked to be looped in on the emails. Peter said there is a planning meeting on the 4th.

Opening of bids for mowing and brush-hogging contracts

The bids for Town mowing, cemetery mowing and brush hogging were opened. Town mowing bids from MowMowMow, Chris' Lawncare and Adam Dancher were read. There were five bids for brush hogging that were opened from Charles Pughe, Summit, Adam Dancher, Mack Farm and Chris' Lawncare. These bids will be reviewed and contracts will be awarded on April 8.

Opening of agricultural lease proposals for Thompson's Point

Two bids were received. Chris Fortin was \$10 per acre per year and Robert Mack was \$30 per acre. This is for 50 acres. Sue Smith wondered if there were other parameters like

a vegetative buffer and Matt read about the buffer in the lease advertisement. Questions arose and were discussed regarding the usable acreage.

Motion to approve Robert Mack's \$30 per acre agricultural lease proposal for Thompson's Point based on usable acreage by Fritz. Frank seconded. Vote: 4-0; the motion passed.

RaceVermont.com—application 5K, 10K & ½ Marathon on September 7, 2019 on Orchard Road and Lake Road

Rayne Herzog explained the race, the route and how it has all run smoothly over the years. There are water stations and traffic control. Fritz asked if Fire and Rescue had been alerted. Rayne said yes and he would certainly remind them again.

Motion to approve RaceVermont.com—application 5K, 10K & ½ Marathon on September 7, 2019 on Orchard Road and Lake Road pending signature from Fire and Rescue by Fritz. Frank seconded. Vote: 4-0; the motion passed.

Cycle4 CMT—application for fundraising bicycle ride on August 25, 2019 on Greenbush Road, Ferry Road, Lake Road, Spear Street Hinesburg Road, Mt. Philo Road, Church Hill Road

Chris Willette explained the cause and how the event has been inspirational for many. This is the 6th annual and is always at the Old Lantern. All routes are available on website. They conduct a rolling start so there is no congestion. Last year \$150,000 was raised at the event for CMT research. It is open to the public. Fritz asked about traffic control and Chris said there is not since it is not a race and that they haven't come to the point of needing traffic control. There are no water stations. Everything is at the Old Lantern. .

Motion to approve the Request for Cycle4 CMT—application for fundraising bicycle ride on August 25, 2019 on Greenbush Road, Ferry Road, Lake Road, Spear Street Hinesburg Road, Mt. Philo Road, Church Hill Road by Frank. Carrie seconded. Vote: 4-0; the motion passed.

Continuation of Public Hearing for proposed amendment to the Town Plan (primarily related to energy use, generation and siting)

Dean and Emily presented energy use, generation and siting maps and discussed the changes being made to the maps to reflect the language in the regulations. Frank asked how properties would be evaluated. Emily said a joint letter from the Selectboard and Regional Planning Commission would be needed. Dean read a portion of the document about defining preferred sites. The town would work collaboratively to define a site. Emily said there are not any particular guidelines and suggested decision be made on a site by site basis. Frank asked about land value impacts and Emily she was not sure. Dean said the strategy is to develop standards but that any homeowner can request the open letter process. Discussion opened up about changes and working in the Town Plan draft. Rebecca thanked Emily for the huge amount of time and energy she put into the project.

Motion to continue on April 22 the Request for Continuation of Public Hearing for proposed amendment to the Town Plan (primarily related to energy use, generation and siting) by Fritz. Carrie seconded. Vote: 4-0; the motion passed.

Appeal by Carrara of ZBA 18-207-VA—consideration of making a request for remand from Superior Court

Dean said the application was for a swimming pool within a setback and it was denied and the applicant appealed to the board. The zoning board could have reconsidered.

Motion to go into executive session by Carrie. Fritz seconded. Vote: 4-0; the motion passed.

Motion to come out of executive session by Fritz. Frank seconded. Vote: 4-0; the motion passed.

Motion to request from remand of Superior Court the Appeal by Carrara of ZBA 18-207 with permission for the chair to sign by Fritz. Carrie seconded. Vote: 4-0; the motion passed.

KR Properties, LLC—revision to Open Space Agreement; Fire Pond Agreement, Waiver and Easement; Roadway Agreement & Waiver

Matt recused himself as it involves family members. The open space agreement needs to be amended due to the addition of a pond as required by Fire & Rescue. Frank pointed to corrections in red and formatting errors. Other corrections were made to the open space agreement

Motion to revise KR Properties, LLC to Open Space Agreement; Fire Pond Agreement, Waiver and Easement; Roadway Agreement & Waiver as amended by Fritz. Carrie seconded. Vote: 4-0; the motion passed.

Clark Hinsdale, III—revision to Open Space Agreement on parcel north of Charlotte Solar installation, northwest of intersection of Hinesburg Road & Spear Street

Dean noted small modifications to the document. Typos were addressed.

Motion to revise the Clark Hinsdale, III Open Space Agreement on parcel north of Charlotte Solar installation, northwest of intersection of Hinesburg Road & Spear Street with authorization for the vice chair to sign by Fritz. Carrie seconded. Vote: 4-0; the motion passed.

Selectboard updates

An action plan or the Charlotte Library addition was discussed as well as the architecture, bond bank, and conceptual plan. Carrie said the treasurer should be involved in all of it to eliminate any fuss going forward.

Carrie requested a site visit at the town pound.

Carrie said the train station has graffiti on all sides and the area needs to be cleaned up.

Motion to approve Feb. 25 minutes as amended by Frank. Carrie seconded. Vote: 4-0; the motion passed.

Motion to approve March 11 minutes as amended by Carrie. Fritz seconded. Vote: 4-0; the motion passed.

Motion to adjourn by Carrie at 10:13 p.m. Seconded by Fritz. Vote: 4-0; the motion passed.

Minutes respectfully submitted, Lynn Monty, Recording Secretary.