



Select Board

Town Of Hinesburg
10632 Route 116 Hinesburg VT 05461
802.482.2281 | hinesburg.org

Meeting Minutes - May 2, 2016

- Draft -

Attending the Meeting: Mike Bissonette, Phil Pouech, Aaron Kimball, Tom Ayer, Andrea Morgante, Trevor Lashua, and attached list.

Meeting called to order at 7:00 p.m.

Public Comment

Joe Iadanza addressed the Board regarding Interim Zoning. He noted the current zoning was founded on 250,000 gal capacity for wastewater, he addressed the costs of treatment and what increase in capacity will mean. He said the Town needs time to gather information and he feels Interim Zoning is the best way to address the problem.

He also noted the PC is a 9 member Board and they currently are operating with 8 members. When Aaron steps down they will be down to 7 members. He asked the Select Board to bring the PC back up to 8 as soon as possible with Aaron's departure.

Maggie Gordon said the purpose of interim bylaw is to be sure development does not get ahead of planning.

Phil asked if this is the PC opinion or Joe's personal opinion. Joe replied it is the opinion of the PC.

Phil asked if the decision with Blackwater reflects on the opinion. Joe said it strongly reflects on the issue.

Andrea suggested the Select Board continue the conversation of Interim Zoning as they discuss the wastewater ordinance.

Bill Marks commented about the concern of the Conservation Commission about a motion to dismiss that was filed a while ago that they just found out about. He again urged the Town seek advice from a legal specialist.

Andrea said she was unaware of the motion to dismiss as she could not open the file, she has concerns with actions taken without consulting the Select Board.

Phil also noted he was not aware it would be submitted.

Tom said he thought the vote of the Board was to “start fresh” and this was a part of that effort.

Trevor said this was a strategic decision by the Town Attorney.

Nancy Baker again noted the need for transparency.

Agenda Changes

Andrea requested the Board discuss the letter from Steve Stitzel with his legal opinion regarding VT Gas be done earlier in the meeting and not with SB items.

Mike B agreed to move discussion of the letter to item 5a.

Presentation of CSSU Report on Act 46

Colleen MacKinnon, member of the Hinesburg School Board and Chittenden South Supervisory Union, gave a presentation of the CSSU Act 46 study. She reviewed how the Towns will be represented, the budgeting process and sharing resources.

Questions asked included bussing children to school in a different town, use of the school building, improvements requested by individual towns for the school building in that town.

Colleen said there will be a meeting on June 6th and the vote will be on June 7th.

FY17 Chittenden Solid Waste District (CSWD) Presentation and Endorsement

Tom Moreau, CSWD Executive Director, reviewed the proposed FY 17 budget with the Board.

He noted expenses will increase by 1% (\$104,000) and revenue is anticipated to increase by 5.2%. Lynn Gardner, Hinesburg’s CSWD representative said he supports the budget.

Tom was thanked for good work he done as Director of CSWD and wished well on his retirement.

Phil moved the Board consider a motion to approve the FY17 budget for the Chittenden Solid Waste District as presented. Second by Aaron and approved with 5 yes votes.

Letter from Stitzel, Page & Fletcher

Aaron moved the Board vote to waive the attorney client confidentiality for the purpose of making public a commissioned opinion by Stitzel, Page and Fletcher regarding 24 V.S.A. § 1061 and §4506, eminent domain, and potential agreements.

Second by Andrea and approved with 5 yes votes.

It was noted that step 1 was to make the letter and opinion public; it will be put on the Town website. The subcommittee which meets tomorrow will take it up during its work and the Select Board will have discussion of the pipeline and Geprags Park on the agenda for their next meeting.

Discuss the Environmental Court's Decisions Regarding Hannaford

Alex Weinhagen, Director of Planning and Zoning reviewed the decisions.

The environmental board judge kept the conditions of the DRB site plan approval intact. The judge places conditions for a requirement of a traffic light at the RT 116 / Mechanicsville Rd intersection. The environmental board overturned the DRB decision on Aubuchon and Automotion site plans. Alex said the Select Board can request to appeal the Aubuchon and Automotion site plan decision but he doubts it will change.

In regards to the traffic light requirement the Board has time to make a decision on what they want to do next.

Phil asked about the traffic light. Alex explained Hannaford is able to go ahead with the project construction without the light at this time.

Andrea brought up the problem with truck traffic travelling north and only traffic travelling south was addressed.

Nancy Baker said she would like the Board to look at the appeal process regarding the decision of Automotion.

Andrea also noted she is concerned with the Automotion lot decision and noted the species of planting will do little to screen the lot.

Nancy Baker said she is concerned with the amount of impervious surface in the lot. Alex noted that item is not a part of the denial from the DRB.

Alex again said taking this argument to the Supreme Court will not result in a change in the decision.

Consider Awarding a Bid for the Bissonette Family Recreation Fields Road, Parking Lot, and Field Prep

Bidders were asked to provide prices for the following work:

- Construction of the access road, built to construction specifications. The road's specifications include a 20' width and 18" base and topcoat (combined depth).
- Construction of the parking area, built to construction specifications.
- Preparatory work on two multi-purpose fields. This work would include tilling and stockpiling of necessary topsoil.

A box culvert required as part of the DRB approval was listed as a possible bid item, but the item (which is a significant project expense) is not slated to be installed until later in the construction process. The culvert is an item that must be completed prior to opening of the fields for recreational and athletic uses.

Tom said he met with the four bidders and recommends Green Mountain Siteworks LLC.

Andrea asked about the culvert and noted her concern that it be done as required by the DRB.

Trevor noted the culvert is sized according to the DRB condition and must be done before the fields are open for use.

Andrea said there needs to be a commitment from the Select Board this will be done the right way.

Phil asked what documents were used in the bidding process.

Tom said they used the project scope which was then reduced down to just the road and parking area.

Showing progress on the construction aspect of the project may also reinvigorate fundraising efforts that have been underway for years and a crucial component of funding.

Tom moved the Board consider a motion to award the bid for the following work to Green Mountain Siteworks for an amount not to exceed \$136,000.

- Construction of the access road, built to construction specifications. The road's specifications include a 20' width and 18" base and topcoat (combined depth).
- Construction of the parking area, built to construction specifications.

Second by Andrea and approved with 4 yes votes and Mike B abstaining.

Consider Adopting Proposed Water and Wastewater Ordinance Changes

Phil asked about the missing maps. Trevor said the maps can be done during the 60-day waiting period.

Joe Iadanza said every day the Town waits allows developers to jump into the process and said we need Interim Zoning now.

DD Erb asked what is in the pipeline now.

Alex said the Green Street project, Norris project and Hannaford have allocation.

Chuck Reiss said he supports Interim Zoning.

Meg Handler also supports Interim Zoning with the approval of the proposed water and wastewater ordinances.

Trevor said he will have the map at the meeting on the 16th.

The Select Board agreed to add a meeting on May 9 at 7:00 p.m. for discussion of Interim Zoning.

This is the date for adoption of ordinance changes to ensure no “lag” with the extended local wastewater allocation moratorium. The changes have been discussed on multiple occasions.

The following section describes the process, assuming the Select Board adopts the proposed changes:

- *May 2nd* – The Select Board adopts the ordinance changes.
- *May 3rd* – The proposed changes are posted in five “conspicuous” places around Town. The five places will be the Post Office, Carpenter-Carse Library, the Town Clerk’s office, the Town Administrator’s office, and the bulletin board outside of Lantman’s Market. The proposed changes will also be posted to the Town website.
- *May 5th* – The full text or summary of the proposed changes are published in a newspaper of record. This must occur no later than 14 days following action by the Select Board; May 12th is the alternate publication date for *The Citizen* (if the notice isn’t published in the May 5th edition).
- *June 15th* – Final day for submittal of a petition for a vote on the proposed changes, signed by at least 5% of registered voters. If a petition is filed, a vote must be held by Australian ballot.
- *July 1st* – The ordinance changes are in effect. The previously adopted local moratorium on new wastewater allocation awards is set to expire on July 6th, if no other action is taken.

Tom moved the Board consider a motion to adopt the proposed changes to the following ordinances:

- Wastewater Allocation Capacity Ordinance
- Wastewater Use Ordinance

Water Use (and Allocation) Ordinance

Second by Phil and approved with 4 yes votes, one no vote (Phil), and Mike B abstaining.

FY16 Budget Status Report

The Board reviewed the status as of 4/29/16.

April 29th represents a point in which the FY is 83% complete. Expenditures are at 84%; revenues at 97%.

Town Administrator's Report

- Vermont Gas/Gepgrags Subcommittee** – The subcommittee held its first meeting on Thursday, 4/28. The next meeting is scheduled for Tuesday, 5/3. Bob Hyams is representing the Conservation Commission.
- Vermont Gas Correspondence** – Much of the correspondence received involves the questions and concerns the subcommittee is working on as part of its report for the Select Board. The subcommittee needs time to do its job, and in so doing will attempt to answer many of the questions as possible. In the interim, correspondence may simply be noted as “received.” There will be ample opportunities for public comment and participation, both written and verbal, in the coming weeks.
- Public Service Board Schedule** – The third proposed revision to the schedule has the technical hearing on 6/13. The Select Board had asked for a technical hearing on 6/15; Vermont Gas requested 6/2 or 6/3. If 6/13 is untenable, please let that be known Monday night (though the third proposed revised schedule is likely to be the timeline all parties operate on).
- Environmental Court Decision/Black Rock-Haystack Crossing Sketch Plan Denial Appeal** – A copy of the Environmental Court's decision on BlackRock's appeal of its sketch plan denial is attached. The Court overturned the Development Review Board's sketch plan denial.
- Affordable Housing Fee Waivers** – At the 4/18 meeting the Board was asked whether or not the Town provides waivers or reductions in fees for affordable housing projects. Planning Commission members in attendance mentioned only the potential density bonuses associated with affordable housing; in fact, the Town waives a number of fees for affordable housing. See attached email from the Planning and Zoning Department and recent copy of the fee schedule.
- Village North Sidewalk** – Board member Phil Pouech has been in contact with Renewable NRG representatives, and discussion continues with the wetlands office at the Department of Environmental Conservation. Deadlines associated with the sidewalk grant from VTrans likely necessitate a one-year extension of the grant period (to allow for construction in 2017).
- Gilman Road/Sheri Lane/Health Order Update** – Trevor reported the traps are in place and baited.

- h. 5/16 Meeting and a 6:30 Start** – Anticipating that the discussion on the Geprags/Vermont Gas report and potential next steps will require a fair amount of time, would Board members be willing and able to convene at 6:30 p.m. on the 16th? This would allow business to be conducted prior to that lengthy discussion, start the discussion of the park/pipeline topic and subcommittee’s work at a reasonable hour (around 7:30 p.m.), and enable that conversation to take whatever course is appropriate or necessary.

<i>“Two-and-Two”</i>	
<i>05/16/16</i>	<i>06/09/16</i>
<ul style="list-style-type: none"> ▪ Geprags Park/VT Gas Subcommittee Report ▪ Economic Development Committee – Revolving Loan Fund discussion ▪ Delinquent Tax/Tax Sale Discussion 	<ul style="list-style-type: none"> ▪ Vote (if not done at a special meeting prior to) – Geprags Park/VT Gas agreement, easement, etc. ▪ Alan Norris/Meadow Mist Escrow and Sidewalk Grant Application
<p><i>To be determined:</i></p> <ul style="list-style-type: none"> ▪ Changes to the Animal Control Ordinance. 	

Select Board Items

Andrea asked that an appointment to the Planning Commission be put on the agenda for the 5/16 meeting.

Andrea also brought up the Solar Sighting document from the Planning Commission and requests the Board review this.

Mike B said the Board is waiting for the Planning Commissions response to the request from the Board for them to review the stormwater document.

Warrants

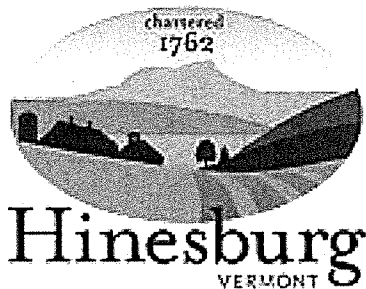
Aaron moved the Board vote to approve the warrants, including payroll warrants, as submitted by the Town Treasurer. Second by Phil and approved with 5 yes votes.

Minutes

Andrea moved the Board vote to approve the minutes of 3/28, 4/18 and 4/27 as amended. Second by Phil and approved with 5 yes votes.

Tom moved the Board adjourn at 10:55 p.m., second by Andrea and approved with 5 yes votes.

Respectfully submitted,
Valerie Spadaccini, secretary



Selectboard Meeting

Sign-in Sheet

May 2nd, 2016

1. Walter Markimon

2. Robert Hyams

3. Lawrence Shotton

4. Rachel Smalby

5. Joe Iadonzo

6. Gill Coates

7. Maggie Gordon

8. Alex Weinhagen

9. Jo Zepf

10. LINDA GABE

11. Tracy Barber

12. Mary Beth Brown

13. DD + Peter Verb

14. [Signature]

15. Lyn Martin

16. Meg Handler

17. Kate Schubar

18. Chuck Reiss

19. John White

20. Jan Kiedzinski

21. John Kiedzinski

22. James Dwyer

23. Mandy Lovell

24. _____

25. _____

26. _____