

## HINESBURG VT – SELECT BOARD MEETING MINUTES **DRAFT**

**April 1, 2019**

Attending the meeting; Phil Pouech, Aaron Kimball, Merrily Kimball, Tom Ayer, Jeff French, Joy Dubin Grossman and attached list.

Meeting called to order at 6:30 p.m.

There were no changes to the agenda.

### Public Comment

Karl Novak was present to express his concern with the F-35 proposal to be based at the Burlington airport. He shared information on a public forum addressing this issue to be held on April 12. (copy of flyer attached).

### Consider a Motion to Enter Executive Session Under Provisions of 1 V.S.A. § 313(a)(1)(E),(F)&(a)(2)

Phil said the purpose of the executive session is to get an update regarding Hannaford from Attorney David Rugh.

Aaron moved to go into executive session as public disclosure of this legal matter would put the Town in jeopardy. Second by Tom and approved with 5 yes votes.

Aaron moved to enter executive session under provisions of 1 V.S.A. § 313(a)(1)(E),(F)&(a)(2) including Joy Dubin Grossman, David Rugh, and Alex Weinhagen. Second by Tom and approved with 5 yes votes.

Aaron moved to come out of executive session, second by Tom and approved with 5 yes votes.

### Discuss Water Source Development Agreement Communication with the DRB

Phil explained the agreement the Town has with BlackRock and advised this does not bypass any DRB decision process associated with the development. It ensures that there is agreed allocation from the Selectboard only if the well is developed. Tom pointed out the allocation is needed for their application.

Alex advised, as Tom noted, that in order to proceed to preliminary plat approval the developer needs to have water and wastewater allocation. The Selectboard granted allocation last year for part of phase 1 A. The developer is bringing the entire phase 1 to the DRB so needs the additional allocation. Alex said the developer is looking for clarity to present to the DRB with his application stating the Selectboard signed an agreement that 30% or 36,000 gpd (whichever is less) of the yield of the new well will be allocated to BlackRock.

Phil suggested BlackRock work with the Town consultant, Cindy Sprague, regarding the yield.

Andrea said she does not see how the Town can allocate what has not been permitted by the State and prior to draw down tests.

Peter asked if other developers can apply for this “nonexistent” water. Alex pointed out the reason BlackRock can make the request is because they own the well and have a signed agreement with the Town. Peter asked if by accepting the water allocation is the Town committing to sewer allocation. Phil said there is no current allocation policy for sewer. Alex said if they get the water allocation that will demonstrate they have the necessary water to get the wastewater.

Andrea asked why the existing agreement is not sufficient to show to the DRB. Alex said part of the reason is concerns that the Planning and Zoning office raised regarding the process. Alex said maybe the agreement is

enough but he was concerned the DRB would have an issue with that and so the developer is looking for the Selectboard to provide some clarity.

Peter asked why the Town is obligated if this well does not pan out to help find water. Phil said that is not the case and the agreement does not state the Town will provide water for them.

Jeff asked why not wait till the tests are done.

Action items – get legal review, check with the State regarding the permitting question and get advice from Cindy Sprague.

#### Discuss Regional Conservation Partnership Project

The Board has a draft of the partnership accord to review. Alex said Hinesburg along with several municipalities was invited to a meeting to talk about the idea of a cooperative conservation partnership.

Phil asked who would represent Hinesburg, conservation commission, or planning.

Alex said he is not sure but would be great if it was a conservation member. They have reached out to the Regional Planning Commission who has offered to help with creating a standardized map of the participating communities.

Aaron noted there would be up sides to participating in this having a lot of input from many individuals for one common goal. He said he does not see any down sides but wonders if it would be better served through the RPC.

Alex agreed the collaboration is the main advantage, also when applying for grants you get more priority points for being part of a regional effort. Down side is more community time and effort being asked for.

Andrea noted the Hinesburg Land Trust has been informally been doing this for the past 20 + years. Specifically with Lewis Creek Association's work with Monkton, Starksboro, Ferrisburg and Charlotte. She supports this as a good attempt but noted that mostly what has happened with these efforts is that it works for a while but given the amount time required for meetings it dies out and would not want to move ahead unless the conservation members had time to devote to this.

The Board asked Alex to share this with the Conservation Commission and Planning Commission.

#### Consider Approving Liquor Licenses

Tom moved to convene as the Local Board of Liquor Control, second by Merrily and approved with 5 yes votes.

Merrily moved to approve a first class liquor license for Bristol Bakery & Café. Second by Tom and approved with 5 yes votes.

Merrily moved to approve an outside consumption permit for Bristol Bakery & Café. Second by Tom and approved with 5 yes votes.

Tom moved to adjourn as the Local Board of Liquor Control, second by Merrily and approved with 5 yes votes.

#### Town Administrator Report

Joy reported last Thursday they held the pre-construction meeting for the Village North sidewalk and potentially April 15 will be the start of construction.

#### Selectboard Forum

Tom announced Calcutta Balls are now on sale for the May 11<sup>th</sup> fundraiser.

Merrily reported the Police Chief Search Committee met last Thursday. Application submission time has been closed.

Phil reported the Wastewater Treatment Committee is looking at industrial users on the system and the higher load they put into the system in proportion to the level of discharge. They hired a consultant, Randy Bean, to find ways to work with industrial users on best practices.

Review Minutes from 3/25/19

Aaron moved to approve the minutes of 3/25/19 as amended, second by Merrily and approved with 5 yes votes.

Consider Approving Warrants

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

Aaron moved to adjourn at 8:50 p.m., second by Tom and approved with 5 yes votes.

Respectfully submitted,

Valerie Spadaccini, clerk of the Board

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