

Attending the meeting; Jon Trefry, Tom Ayer, Phil Pouech, Andrea Morgante, Mike Bissonette, Joe Colangelo and attached list.

Jon called the meeting to order at 7:00 p.m.

Public Hearing – Vermont Smoke & Cure

Jon opened the Public Hearing.

Chris Bailey, Vermont Smoke & Cure, CEO gave an overview of the company and the grant.

He said 16 and ½ jobs have been created and 14 were required by the grant. 12 of those are production positions and come from several towns in Chittenden County. Grant funds also helped them retro fit the interior of the building for the business's needs.

Joe pointed out the Town of Hinesburg has the ability to keep 50% of loan repayments from Vermont Smoke & Cure and start its own revolving loan fund. Thus far we have collected nearly \$8,000 in interest only payments; once the principal payments start our local fund will grow quicker.

Jon closed the Public Hearing.

Mike B moved the Selectboard recognize that the \$550,000 Community Development Block Grant secured by the Town of Hinesburg which was subsequently loaned to Vermont Smoke & Cure is officially closed out. Second by Andrea and approved.

Public Hearing – Rural Area Zoning Ordinance

Jon opened the Public Hearing on Rural Area Zoning.

Alex reviewed the changes made at the Selectboard Special Meeting on August 21.

Bill Marks pointed out a grammatical error in the subdivision portion. Alex will make the correction. A resident asked about the process of approving such changes. She suggested it should not be up to 5 members of a Board but voted on by the residents of Hinesburg. Jon replied that State Statute gives the Selectboard the authority to act on this; he noted it could also be done by the voting population of the community. Alex shared the steps that had been taken to date in making these changes and that there were many opportunities for public input along the way.

John Kiedaisch asked for clarification on page 2 of objective 2 “no alternative development plans and no other means of access”. Alex explained how that could be taken into account and also noted the change made was actually the use of the word “practical” at the end of that sentence.

Tom Dotolo said he feels the time frame for an exemption is too restrictive.

Don Palmer is opposed to the new regulations as he feels they are driving the younger generation out of Town with the required acreage limits. Alex responded that the ability to create a small lot is not prohibited.

Ruth Ayer asked if there would be a payment to landowners for land they now can't use.

Tom Miner said in follow up to the 3 acre number, 12 acres creating 3 acre lots leaves 9 acres unusable. If creating a 3 acre lot from 12 acres what use does the remaining land have other than to be taxed?

Joe Iadanza explained landowners still have use of the land not included in the subdivision.

Chris Bailey said he is impressed with the proposal and feels the Selectboard should approve it.

Chris Nielsen said the Town wants to keep the rural character but at what cost. He said he has followed this process and looked at how overlays affect the land. He feels it unfair for the Town take from the landowner their investment that they are depending on.

Jean Miner said she is aware of the changes in wording the Board made to the proposal but the end result on the rights of property owners remain. She is opposed to the regulations and resents the view that the landowner can't manage their own property.

Peter Durda spoke as a landowner with just over 10 acres. The deed to his property allowed a onetime subdivision which they would do for their children if they choose to. He said it is not right to take away the landowners asset.

John Kiedaisch said he believes there are no overlays to be used to determine usable land as referred to by Chris Nielsen.

Andrea Morgante spoke to the concern regarding taxes. She noted that the house and 2 acres and any structure on those 2 acres make up the majority of the assessed value for tax purposes.

Bruce L., resident of Texas Hill Rd, said he owns just over 10 acres and is not in favor of the proposal. As the Selectboard voted 3 in favor and 2 opposed at the August 21 meeting he is not sure what the point of tonight's meeting is but hopes perhaps the Board might change their mind.

Donald Taub bought 90 acres in 1991. He said with the current regulations already in place it is hard to develop and with these additional restrictions it will be nearly impossible.

Andrea Haulenbeek spoke about the tax break for landowners available who are using the land for agricultural purposes.

Gil Coates said he would like to understand the total impact of the proposal – how much land is actually developable. He also noted that land value is determined by the price of land sales.

John Veilleux said this is the 6th meeting he has attended on this issue. Over the last 6 years there was an average of 3.2 building permits issued in the ag district. He said there does not seem to be a problem with over development and feels the Selectboard is not listening to the public attending the meetings who are asking them not to approve the proposal.

Rob Bast said there is a need to provide an easier way to grasp the patterns the Town is looking for and a need to be more inclusive.

George Bedard thanked the Selectboard members who are standing up for the community. In regards to the density issue he believes this will force more people into activity to protect what they have.

Tom Ayer said he will vote no. He likes all but the density portion and believes it will not get the type of development the Town wants.

Phil Pouech said he continues to support this and feels it is a good balance with the additional uses and subdivision ability. He noted there were some changes he suggested that were not incorporated but the document is a compromise.

Mike Bissonette noted under the current restrictions and zoning laws a maximum build out is 1782 homes according to Chittenden County Regional Planning. The Planning Commission proposed a one size fits all and he feels there is a need to look at the development potential of each parcel. He feels the regulations are unfair and do not treat landowners equally. We should let the land speak for itself with the restrictions that are in place.

Jon Trefry still supports the proposal and feels the density proposal will stop any fragmenting of the land. He suggests for now we live with the proposal and make any adjustments needed as the Town learns how it working.

Andrea Morgante supports 2/3 of the proposal that the Board agrees on. She feels there is balance in recognizing the wants of landowners and the value of their land.

Mike B urged Jon to vote no as he has made the statement he feels the plan has flaws and for the Selectboard to work on the density.

Jon closed the Public Hearing.

Andrea moved the Board vote to approve the Town Plan revisions as described in the final proposal dated August 21, 2013 and wildlife habitat map dated December 12, 2012. Second by Phil. Andrea, Phil and Jon in favor, Tom abstains and Mike B opposed.

Phil moved the Board vote to approve the revisions to the Zoning Regulations and Subdivision Regulations as described in the final proposal dated August 21, 2012, including reference to the Planned Unit Development track changes document dated December 12, 2012. Second by Andrea.

Tom said he feels the date of Sept 12 is driving the vote and he wants to go back and get it right.

Motion voted and approved with Tom and Mike B opposed.

Municipal Planning Grant

Municipal Planning Grant (MPG) applications are due on September 30. This is an annual State grant program that provides up to \$20,000 for planning projects. Any grant above \$8,000 does require a small Town match. The grant project period runs from December 2013 through May 2015 – i.e., we have to complete the project within that time frame. The Planning Commission and the Director of Planning and Zoning are interested in applying for grant funds to design stormwater control infrastructure in the village core area.

The idea is to select one or more sites in the village core, and design stormwater systems to help control the large quantities of runoff from previously developed areas (e.g., Lantmans area, Cheese Plant area, etc.) that discharge largely untreated stormwater into the LaPlatte River. This would be planning and design work, which could also include some education elements.

The Selectboard is in favor of applying for the grant for this project.

Letter of Employment with New Wastewater/Water Operator

Director of Buildings & Facilities, Rocky Martin, Operator, Kayhon Bahar, and Joe Colangelo held initial interviews with 8 candidates. The final interview round of 3 candidates consisted of a ride-around/tour of the water and wastewater systems with Rocky and Kayhon (roughly 2 hours per tour), a mathematics test, and a panel interview with Rocky, Andrea Morgante, Tom Ayer, and Joe. Craig Hinchman was the selected candidate for the position.

Craig is originally from New York; graduated a few years ago from SUNY-Plattsburg with a degree in Geology. During college he took a number of classes specific to wastewater management. He also has some experience as the manager of a small water system at a summer camp. Craig can fill in some additional details regarding his past work and academic experience on Monday evening. His references all gave him high marks and feel he will excel.

Phil moved the Board vote to approve offering Mr. Craig Hinchman the position of Water/Wastewater Operator in the Town of Hinesburg's Water/Wastewater Department starting September 16, 2013 and have the Town Administrator sign his Letter of Employment on behalf of the Selectboard. Second by Tom and approved.

CBC Reappointments

Phil moved the Board vote to reappoint the following; Catherine Goldsmith, Carl Bohlen, Andrea Brainard, Rocky Martin, Julie Pierson, Dale Wernoff, and Bruce Wheeler to the Affordable Housing Committee term expiring 1/1/2017. Bill Marks to the Conservation Commission term expiring 1/1/2018. Richard Jordan, Sarah Murphy, and Ted Bloomhardt to the Development Review Board terms expiring 1/1/2017. Johanna White to the Planning Commission term expiring 1/1/2018. Mike Potvin to the Town Forest Committee term expiring 1/1/2017. Lenore Budd to the Trails Committee term expiring 1/1/2017. And Catherine Goldsmith to the Village Steering Committee term expiring 1/1/2016.

Andrea second the motion.

Discussed was the issue of only 3 members on the conservation commission. Mike B moved to amend the motion to remove Bill Marks, second by Jon. After further discussion Mike B withdrew his motion and Jon his seconding the amendment.

Original motion of appointments voted and approved.

Potential Purchase of Town Owned Land

Hinesburg resident Kyle Bostwick has expressed interest in purchasing the 5.35 acre parcel of land - known as Lot 31 – from the Town of Hinesburg. Kyle is aware that this parcel comes with some ‘strings attached’. Kyle said he is representing the 5 landowners who live on the edge of the lot.

Per 2004 DRB subdivision/PUD approval:

1. *Designated open space area* – no development allowed except “community facilities” consistent with section 4.5 of Zoning Regulations;
2. *Purpose of lot per DRB approval* – green space and area for active and passive recreation;
3. *150’ “no-cut” riparian buffer* – the lot is encumbered by a 150’ “no-cut” riparian buffer along the LaPlatte River – supposed to be allowed to become reforested
4. *VAST trail* – there is an existing VAST snowmobile trail that crosses the lot

Other considerations:

1. *Trail connection* – The Official Map envisions a trail along the LaPlatte through this lot – could simply be year-round use of the VAST trail, which is already happening to some extent today;
2. *Wetlands* – There are extensive wetlands on the lot. The Town had a wetland delineation done in July 2006. The Town and the original developer had hoped to do a recreation field on the property per the 2005 DRB approval. Unfortunately, the US Army Corps of Engineers changed their interpretation of “prior converted” wetland allowances. After a site visit/conference in 9/2006, the site was deemed too difficult to develop for a formal recreation field.

Andrea said she would like to see the Town retain ownership to maintain control and prevent the possibility of fill being brought in and changing the character of the property.

Joe will get together with Kyle on developing a proposal to go forward with the purchase.

Town Administrator Report

- a. Public Safety Facility – Our first weekly job meeting with the general contractor is slated for Tuesday, September 10 at 7:30am. As of the time this document was posted for the SB packet, the Town Administrator was working with Millbrook on finalizing the contract. We have had follow-up conversations with the folks at Act 250 regarding their issue with the need for a through road which Joe should be able to update the Board on Monday night. Still hopeful to have shovels in the ground in September. If we have everything in order, Joe would like to schedule a ribbon cutting/ground breaking ceremony for Monday, September 16th at 6:30pm just prior to the Selectboard meeting.
- b. 116 Corridor Study – The first community forum has been scheduled for September 24 at 7pm at the Town Office.
- c. 3rd Floor Chairs – The Board seemed lukewarm on the idea of adjustable chairs so Joe went back and got pricing for some standard chairs.
- d. E-mail Addresses – If Selectboard members have not made a time to meet with Aaron Kimball please make that a priority.

- e. Vermont Gas – Public Hearing is now scheduled for September 10 (originally September 11) at the middle school in Middlebury starting at 7pm.
- f. Animal Control Ordinance – A resident contacted Chairman Trefry regarding the reach of the Animal Control Ordinance as it relates to barking dogs; specifically regarding the line in our animal control ordinance that states "frequent or long-continued noise, barking, or howling which disturbs the comfort of persons in the vicinity".
- g. FY2013 Budget Reserves – Joe reviewed the reserves with the Board. Jon moved the Board move to accept the FY2013 Reserves as Presented on September 9, 2013. Second by Phil and approved.
- h. Selectboard Retreat – Two topics for discussion are 1) FY2015 Budget Vision; 2) FY2015 Strategic Plan.
- i. VLCT Town Fair – VLCT's Town Fair is scheduled for October 2 and 3 in Killington. Some relevant documents are attached in the SB packet. Andrea moved the Board vote to designate Joe Colangelo to be Hinesburg's voting delegate at the Annual VLCT meeting. Second by Mike B and approved.
- j. Sidewalk Engineering – Joe is meeting with an engineer to review a scope of work and to get an estimate on scoping an engineering study on the sidewalk improvements needed on the opposite side of Rte 116 from the United Church. The meeting is scheduled for 6pm prior to the Selectboard meeting Monday evening.
- k. Hinesburg Village North Sidewalk – Joe will be talking with our state project manager Friday or Monday regarding our selection criteria. The project manager from the State, Rocky, and Joe ranked and scored the eight (8) submitted RFQ's.
- l. FEMA – Mike Anthony and Joe met with representatives of Homeland Security (FEMA) and the State of Vermont two weeks ago to tour sites in Hinesburg requiring repair due to the rain events of June/July. Because the State was declared a disaster area, Hinesburg will be eligible for insurance reimbursements from federal and state sources (75% fed, 15% state, 10% local). This is pretty good news for us. In fact, all of the work we did as a temporary fix to MaGee Hill Road (upsizing the culvert), the engineering study we had completed, and the future permanent fix recommended for MaGee Hill will all be covered by FEMA (with the 10% local share).
- m. FY2013 Budget and Audit – We are preparing for the FY2013 Audit. While some figures will continue to move around before and during the audit, total general fund revenues = \$2,967,290 and total general fund expenditures = \$2,854,959. This means that revenues were \$112,000 greater than expenditures; therefore, none of the originally budgeted \$108,000 of fund balance will be required to balance total revenues with total expenditures. A nice fact to know going into the FY2015 budget season.
- n. Gilman and Hines Road Intersection – Resident asked about installing a mirror to help with visibility on a blind curve on Gilman near the Hines Road intersection. Put out the recommendation to Mike, Al, and Frank for thoughts.
- o. Charlotte Road Catch Basin – The Town needs to deal with the safety concern of the catch basin in front of the Dameron house on Charlotte Road. Will be an agenda item next Selectboard meeting.
- p. Yield Sign for School on 116 – HCS contacted Joe about leaving the yield sign in the middle of 116 rather than having to lug it back and forth each day. Will follow-up with State and HCS.

- q. Bissonette Recreation Fields – the ‘Bissonette’ parcel is slated for sketch plan review shortly and the BlackRock group is prepared to develop and present a masterplan for the parcel. Black Rock has met with a few Town groups including the Village Steering Committee to solicit input feedback. Rocky and Joe met with them a few days ago and discussed how their masterplan works with the Town’s proposal to develop recreation fields. The outcome of that initial meeting was that Joe had our engineer send their engineer our plans to look at possible ways to find efficiencies. Also, fundraising continues to move forward. Jill Lowery of the Bucs captured a \$5,000 grant last week. While the \$25,000 grant proposal Joe wrote last winter was not funded, the same grant proposal is going to a different funding source and he anticipates capturing the \$25,000 this fall.
- r. FY2014 Budget Report, August 2013 – See budget report for end of August 2013.

SELECTBOARD ITEMS

Andrea would like an update on the water and sewer line extension to FAHC and Jiffy Mart.

WARRANTS

Jon moved the Board vote to approve the warrants, including payroll, as submitted by the Town Treasurer. Second by Mike B and approved.

MINUTES

Andrea moved the Board vote to approve the minutes of 8/19/13 as written, second by Jon and approved.
Andrea moved the Board vote to approve the minutes of 8/28/13 as written, second by Mike B and approved.

Mike B moved the Board go into executive session for discussion on Health Insurance Proposal, second by Tom and approved.

Mike B moved the Board come out of executive session and adjourn, second by Tom and approved.

Respectfully submitted,
Valerie Spadaccini, secretary