

## SELECTBOARD MEETING

December 16, 2013

page 1 of 4

DRAFT

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

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

### **Public Hearing – Energy Efficiency Standards**

Jon opened the Public Hearing and explained why the Town was working under interim zoning and the options for moving ahead at this time.

The Planning Commission is looking at the suggestion to propose the Energy Code Plus standard instead of the RBES that the interim zoning meets.

Andrea suggested the Selectboard not wait a full year to act on changes and that the Energy Committee has the opportunity to review and make suggestions on the zoning.

Mike B asked Alex for a cost estimate to projects to comply with the efficiencies accompanies the suggested new zoning when sent to the SB.

Chuck Reiss said he feels it is a bonus for the Town to have this program in place which will require 3<sup>rd</sup> party verification at no cost to the customer.

The ECP standard will be sent to the SB early 2014; however, this interim zoning needs to be continued per statute by December 19, 2013 or it will sunset and no longer apply to Hinesburg.

Jon closed the Public Hearing.

Phil moved the Board vote to extend the energy efficiency interim zoning originally adopted on December 19, 2011 for one (1) additional year. Second by Andrea and approved.

### **Public Hearing – Village North Sidewalk**

Jon opened the Public Hearing.

The Public Hearing is a requirement of the State of Vermont's 2012 Bicycle & Pedestrian Program which is the 90% funding source of this project. The local share will be paid for by NRG and SB Collins – the two (2) landowners impacted by the installation of this sidewalk.

Doug Henson, project engineer for Lamereux and Dickinson, gave a presentation of the project.

Andrea requested that any trees needing replacement be replaced with native species. Andrea also addressed the wetlands situation, from the brook north there is only one small section that is not wetlands and will need a State Wetlands Permit.

Phil asked about the timing for the project. Doug said the next step is to generate a complete set of conceptual plans to bring back to the Board.

Andrea asked if the idea of a boardwalk had been considered. Doug said it had not and he will do a quick cost analysis.

Chuck asked about the class of the road and how it will impact future work by the Town. Doug said it is mostly class II.

Jon closed the Public Hearing.

Phil moved the Board vote in support of this project and authorizes its continuance. Second by Andrea and approved.

### Addison Natural Gas Pipeline

Phil Pouech, Rocky Martin and Joe met with Stephen Taylor before Thanksgiving. Joe's understanding is a decision from the Public Service Board is anticipated before the New Year on the Addison Natural Gas Pipeline.

Stephen Taylor, right of way agent, and Eileen Simollardes, vice president of regulatory affairs for Vermont Gas were present to answer questions.

Stephen reviewed the new path for the pipeline. He explained the trench will be 3 to 4 feet wide, 5 feet deep and the pipe will have a 12 inch diameter. They are seeking options with a permanent easement and will pay 10% of the agreed price of the easement when the option is signed. There is a restriction in the easement that includes no structures be in the easement.

Asked about the impact on the wells Eileen said there is no restriction or danger to wells in the proximity of the natural gas line. Asked about the 200 foot well protection area Eileen replied to their knowledge it is not affected. Phil said he would like a definitive answer on that.

Phil also asked about the covenants on the deed itself. Stephen said they are aware of the covenants of recreational and educational uses and he noted the 1996 court decision. He added they are aware this is an issue the Town needs to resolve.

Phil asked about language regarding what goes through the gas line. Stephen said that will be done and explained it will only be gaseous energy products.

Peter Erb asked if the Town would need to go this process again if VT Gas changes the size of or adds more pipes. Eileen said they would but there is no intention to do so.

Andrea asked about the length of pipe. Stephen said they run 30 to 60 feet.

Aaron asked about the distance the gas travels in the pipe without de-pressuring. Eileen said the gas is not re-pressurized anywhere from Canada to Middlebury, every 8 miles there is a valve but there are no valves in the section being discussed. Steven added there is a valve at the end of the line on Charlotte Rd.

Asked about cost to the Town for training EMT responders, Steven said there is currently gas pipe in Hinesburg and any training is done at VT Gas with no cost to the Town.

Chuck R said he is opposed to the pipeline and said the vision for Geprags is to remain a conserved park. He said this is a fuel that contributes to global warming and has no benefit to Hinesburg.

Andrea also noted she will not support the Town allowing an easement as she does not believe this will benefit Hinesburg residents and adds to climate change.

### Zoning Violations – Hinesburg Village Center

The Board reviewed and discussed the memo Alex sent out with details of the issue.

Jon asked about the fines and was advised the fines regarding the CO are being pursued.

Andrea asked about the fact that work continues while the violations exist and if the Town can't make them shut down can the Town increase the punitive aspect.

Peter said the court sets the fines not the Town.

Bill Moeller said the complaint reads that the buildings were built in compliance. Joe noted that is the wording of the Town Attorney. Jon thanked Bill for pointing that out and will have the Town Attorney review the wording.

### Planning Commission Annual Update

Joe Iadanza reviewed the work of the PC in 2013. For 2014 the PC will begin working on revisions to the Town Plan/ continue to pursue storm water revisions as well as revisions to the RR1 and Shoreline district zoning / revisions to the zoning by-laws and subdivision regulations and official map as necessary.

Mike B asked Joe if the PC could separate the RR1 and Shoreline proposals when submitting to the SB for review. Joe said they had not thought about it but will consider it.

**DRB Annual Update**

Zoe Wainer reviewed the report of activity for the DRB for 2013 with the Selectboard.

Discussed was the idea of purchasing tablets for DRB member's use. Zoe said she is not totally convinced on the idea and that a few DRB members plan to use their computers/tablets as a test to see how well it works.

Al Barber addressed his proposal for the Fire Chief to review packets submitted for safety issues.

**FY2015 Planning & Zoning Budget**

Proposed budget reviewed by Alex with the SB with the following specific items discussed.

Staff wages and benefits – Alex's original budget proposal included a request for a 20hr/week planning professional. The Town Administrator's budget reduced the request from \$20,000 to \$10,000 and includes the idea of contracting with the regional planning commission for professional planning services rather than hiring a new staff member.

Special Projects – Alex's original budget request included \$18,000 in this line-item. The Town Administrator's reduced the line-item to \$8,500. \$3,500 of that was simply transferred from Planning & Zoning to Technology – DRB iPads. The other items removed from the Town Administrator's recommended budget were: 1) sidewalk feasibility study (\$4,500); Cheeseplant Road Assessment (\$5,000). Items funded by the Town Administrator included: 1) Town Plan Update (\$2,500); 2) Village Stormwater Planning (\$6,000).

**Rural Area Zoning Discussion**

Tom Ayer indicated his desire for the Selectboard/Planning Commission to consider an amendment to the newly adopted Rural Area Zoning Ordinance which would allow transfers of land between generations within a family more streamlined.

Jon said he feels this exception is not equitable if only for children.

Phil agrees he does not like the idea of a time limit but not be just for children.

Mike B agrees with Tom's suggested amendment.

Joe Iadanza questioned if such a change would hold up under scrutiny – one class of people get the exception but another does not. If subdivided for a family member the lot may not always be in family ownership as it could be sold at some point.

Jon felt this is shutting the door on some people and would rather allow across the board one time subdivision to those with less than 12 acres.

**Town Administrator's Report**

- a. **Norris Condo Sewer** – There was an emergency sewer dig near the Norris condos on Silver Street this past week and is now resolved.
- b. **Mason's Building** – John Parenteau and the Board discussed the findings of the Town Attorney. The Masons secured a second estimate for the amount of \$7,500. Andrea said she feels there is a very valuable community service provided by the Masons to the community at large and would like to suggest the Town pay for a portion of the repairs as this is a burden that would be great on the nursery school with possible negative effects to the community.

Mike B moved the Board vote to approve the Town paying for half of the repair up to \$3750.00 and to be taken out of the WW reserve fund to repair the WW line to the Masonic Building.

Second by Jon.

Phil supports this but wants it noted according to legal opinion the Town is not liable and may not pay next time.

John P will drop off repair information he has to Rocky and the Masons will oversee the project and keep Rocky and Joe informed.

Motion voted and approved.

- c. **Rte 116 Committee** – Alex noted the Rte 116 corridor study is sponsored by the Regional Planning Commission and only the traffic light at the corner of Rte 116 and Charlotted Road is an item for consideration in the new budget.
- d. **November Budget** – See packet for detailed budget report.
- e. **St George** – Joe is meeting with St. George’s Selectboard on January 17 to discuss the possibility of offering police services to the Town of St. George. Chief Koss is also invited to attend as are Selectboard members.
- f. **Grand List Errors & Omissions** – Mike B moved the Board vote to accept the changes to the grand list for 2014 as proposed by Marie Gardner, Town Lister, in her October 31, 2013 memorandum to the Selectboard. Second by Andrea and approved.
- g. **Planning Commission** –Phil moved the Board voter to accept Johanna White’s resignation from the Planning Commission. Second by Phil. Johanna advised she will serve till a replacement is appointed. Motion voted and approved.

#### **Selectboard Items**

Andrea addressed the issue of Commerce Park and Patrick Brook and suggests an addendum to the district commission about concerns of water quality of Patrick Brook.

Andrea moved the Board consider a motion to direct Alex to send an addendum to the district commission stating that the town is concerned about maintaining and not allowing further degradation of water quality in Patrick Brook and understands that the existing stormwater system for all of Commerce Park is deficient. The town requests that any approval should include conditions under criterion 1e in addition to 1b to assure that water quality be maintained and no untreated water be allowed to enter Patrick Brook. Second by Jon

Mike B asked Alex where the Town is at in the process of storm water runoff and Alex said there is still time to submit information. Mike does not support the motion as he feels this is going beyond the DRB decision and not supportive of the DRB.

Tom said standards are in place to be followed and not require higher standards.

Motion voted and approved with Tom and Mike B opposed.

Mike B asked Alex to put together the costs the Town has incurred regarding the Hannaford project.

#### **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**

Jon moved the Board vote to approve the minutes of 12/9/13 as amended. Second by Phil and approved.

Meeting adjourned at 11:10 p.m. on a motion by Andrea, second by Phil and approved.

Respectfully submitted,  
Valerie Spadaccini, secretary