

June 3, 2015

Attending the meeting; Mike Bissonette, Jon Trefry, Phil Pouech, Andrea Morgante, Tom Ayer at 8:00 p.m., Trevor Lashua and attached list.

Meeting called to order at 7:02 p.m.

**Public Comment**

George Bedard was present to address his concerns with the new stormwater regulations.

George said the DRB has been having landowners follow State guidelines on their development proposals. He noted the new rules will require the hiring of an engineer even on low impact sites resulting in substantial additional costs. He would like to have the regulations reworked.

George said there is a petition circulating requesting an appeal vote but would like to address this without cost of a vote to the Town.

Phil asked what happens to the regulations during the waiting period, are they valid? Trevor will check into this.

Phil said he would like several areas addressed; an opinion from the DRB / risk assessment levels.

Rob Farley also stated he feels the regulations need to be adjusted.

Andrea said she is comfortable with the new regulations.

This will be put on the agenda for further discussion and clarification of questions raised by the Board.

There were no changes to the posted agenda.

**Initial Presentation of the FY16 Water/Wastewater Budget**

Rocky Martin, Director of Buildings and Facilities and Erik Bailey, Water/Wastewater Superintendent reviewed the initial draft of the FY 16 budgets for water and wastewater.

Trevor advised the current draft represents an estimated 1.86% increase from the FY15 water/wastewater budget – though this is before the capital budget has been fully developed and the “step up” in rates factored in (to increase rates gradually over three fiscal years – when the first bond payment is due for the new wells – rather than one large increase in a single fiscal year). There is additional work necessary to determine the appropriate budget amounts for certain insurances, namely vehicle and property and casualty. For now, those numbers are programmed at the FY15 levels.

**Consider Accepting the FY16 Wastewater Uncommitted Reserve Capacity Report**

Andrea moved the Board consider a motion to accept the FY16 Wastewater Uncommitted Reserve Capacity Report as presented. Second by Tom.

The Board reviewed the report with Rocky and Erik. Discussed the possibility of adjusting the reserve for Saputo. The building is fully occupied and there is reserve in enterprise/commercial available if more is requested. The allocations for the current occupants did not come from the 10,000 reserve.

Motion voted and approved with 5 yes votes.

**Consider Wastewater Allocation Request for an Accessory Apartment**

The Board reviewed a wastewater allocation request for a homeowner in Thistle Hill for an existing accessory apartment. The request is for an allocation of 140 gallons per day (gpd) for that apartment. The homeowner has been working with Planning and Zoning and Buildings and Facilities to ensure the apartment complies with all applicable Town regulations – requesting and receiving wastewater allocation is among the compliance measures.

The moratorium on wastewater connections allows the Selectboard to consider requests related to accessory apartments, provided the total allocation for such requests does not exceed 2.5% of the total uncommitted reserve capacity for the residential category. Using the residential reserve numbers from the most recent capacity report, the 140 gpd request fits within the 2.5% (2.5% of the residential reserve is an estimated 1,268 gpd).

Jon moved the Board consider a motion to grant the wastewater allocation request of Andrea Van Hoven and Tekla Van Hoven, in an amount not to exceed 140 gallons per day, for an accessory apartment previously constructed at 35 Elderberry Lane. Second by Andrea and approved with 5 yes votes.

**Update on Water and Wastewater Allocation Ordinances**

Trevor reviewed a draft of an ordinance with the Board, Rocky and Erik as well as a revised timeline through 12/31/15.

**Consider Selection of a Firm for the Highway Garage Planning Project**

Trevor advised references are still being checked for the two finalists for this project as of this writing. The references, as expected, have all been glowing for the firms. Both can complete the requested scoping study work within the project budget (\$9,000, as approved in the FY15 budget – see, “*Highway Professional Services*”).

As has been mentioned previously, expanding the facility committee’s membership to include citizen representatives will be helpful as the planning portion of the project moves forward. The general suggestion is expanding committee membership by three (for a total of seven members. If possible, a short discussion should determine how to solicit and select those three additional members.

Andrea moved the Board consider a motion to select Smith Alvarez & Sienkiewicz Architects for the planning/scoping phase of the Hinesburg Highway Garage project, with the cost of the phase not to exceed \$9,000. Second by Jon and approved with 5 yes votes.

**Consider Adopting the Proposed Open Burning Ordinance**

The Board reviewed the latest proposed ordinance which includes changes made at the 5/18 meeting.

Tom moved the Board consider a motion to adopt the proposed, “Ordinance Regulating Open Burning and Incineration.” Second by Andrea. After discussion on other changes specifically regarding incineration, the motion was amended to read;

The Board considers a motion to amend the proposed Ordinance Regulating Open Burning and Incineration and warn a public hearing for July 2<sup>nd</sup>.

On further discussion the motion was withdrawn.

**10. Town Administrator's Report**

- a. *Town Hall Forum to discuss the fatal accident on VT 116 involving a motorist and a bicyclist* – Chief Koss, following the publication of his editorial in the *Hinesburg Record* and subsequent follow up articles in the *Burlington Free Press*, is hosting a forum at Town Hall at 7:00 PM on Thursday, June 4<sup>th</sup>. The forum is intended to be a chance for anyone with questions or concerns related to the April 26<sup>th</sup> tragedy or the Chief's editorial to voice those.
- b. *Planning Commission and Interim Bylaws* – The Planning Commission has been discussing whether or not to recommend interim bylaws to the Selectboard. This discussion was covered in a recent article in the *Burlington Free Press* (included in the packets). The letter could arrive for the June 18<sup>th</sup> meeting, but more likely would arrive for the first meeting July.
- c. *Development Review Board Resignation* – DRB Chair Zoe Wainer has tendered her letter of resignation. The letter is included in the Board's packet. Jon moved the Board vote to accept the resignation of Zoe Wainer from the DRB effective the end of June 2015. Second by Phil and approved with 5 yes votes. The Board members wish to thank Zoe for her service to the Town.
- d. *Northern Sun Music Festival* – Staff from the administrator's office, along with Chief Koss, met with the principals involved in the Northern Sun Music Festival and the outfit handling various components. During that discussion the group covered the plans for security, parking, noise, scheduling of bands (particularly how late they may play), outreach to neighbors and the community, liquor licensing and related safety protocols, and so on. The festival is governed by State rules related to events of certain sizes; the Town's regulatory documents are generally silent on events such as this. All in all, it sounds like due diligence is being done by those involved.
- e. *Memorial Benches* – Separate inquiries have been made about the placement of memorial benches within town. The first proposal is placement of a bench along the canal path adjacent to Mechanicsville Road; the second for a bench somewhere in/near the Town Forest. Generally, this seems like something that could be handled administratively, working with the committees of jurisdiction (Town Forest Committee and Village Steering Committee, with consultation with the Trails Committee). The Lions Club has also been involved with the benches along the canal. If there are no objections, staff will work with the various parties to sort through the requests. Appeals, if any, could then be heard by the Board.
- f. *VCAM* – The meeting on Wednesday will be live on the web only; the television channel will show a recorded version of the meeting on a later date.
- g. *Memorial Park Street Trees* – These have been planted, and they look marvelous. Thanks to all involved.
- h. *Line striping on VT116* – The Town Administrator has inquired about the lines with VTrans. To be done no later than September.
- i. *Water loss/leak* – The intrepid water/wastewater crew is still looking. When Rocky and Erik are before the Board for other items they can talk more about the loss, the efforts to find it and what may be next. After focusing on Mechanicsville Road as the likeliest location, subsequent pressure tests have essentially removed the area from further exploration – meaning that the source of the water loss lies somewhere else.
- j. *Allan Norris NDA Application* – Alan applied for the State's neighborhood designation program for his project south of the village along VT116. The application notice and a map of the proposed designation area are included.
- k. *Town Plan* – The current version is attached, for perusal and review prior to receipt of the Planning Commission's updated version due later this summer.

**Selectboard Items**

Andrea mentioned the NDA application by Norris hearing with have a notice 2 weeks in advance and will be held in Montpelier.

**Minutes**

Andrea moved the Board vote to approve the minutes of 5/4/15. Second by Phil and approved with 5 yes votes.

Jon moved the Board vote to approve the minutes of 5/18/15 as amended. Second by Phil and approved with 5 yes votes.

Phil moved the Board vote to approve the minutes of 5/27/15 as amended. Second by Jon and approved with 5 yes votes.

**Executive Session – 1 V.S.A. § 313 (a) (2) [Real Estate]**

This discussion is related to the potential sale of the old police station.

Jon moved the Board consider a motion to find that premature general public disclosure would place the municipality at a substantial disadvantage with the proposed sale or purchase of real estate in which the municipality is a party. Second by Andrea and approved with 5 yes votes.

Tom moved the Board consider a motion to enter executive session, to include the Town Administrator, under the provisions of 1 V.S.A. § 313 (a) (2). Second by Andrea and approved with 5 yes votes.

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

Respectfully submitted,  
Valerie Spadaccini, secretary