

Minutes of the East Montpelier Selectboard

August 18, 2014 Regular Meeting

SB Attendance: Chair Seth Gardner, Casey Northrup, Kim Swasey and Steve Sparrow; Town Administrator Bruce Johnson

Public Attendance: Planning Commission members Julie Potter & Jean Vissering; Carolyn Shapiro and Paul Erlbaum

Chair Gardner called the meeting to order at 6:31 p.m.

Additions to Agenda: None

Public Comment: None

Discussion on Proposed Zoning Regulation Amendments

The board reviewed a series of proposed amendments to the East Montpelier Land Use & Development Regulations (LUDR) presented by the Planning Commission (PC) on July 7, 2014. Ms. Potter and Ms. Vissering represented the PC during the discussion. Mr. Erlbaum and Ms. Shapiro represented the East Montpelier Community Groundwater Study Group.

LUDR Table 1.1

- No concerns expressed

LUDR Section 3.13(C)

- No concerns expressed

LUDR Section 4.6.2(A) Withdrawal of Ground Water Resources

- This amendment changes the conditional use permit threshold for groundwater withdrawal to 20,000 gallons per day, down from 57,600 gallons. The 20,000-gallon threshold level is based on the withdrawal threshold that triggers mandatory reporting to the state.
- Discussion centered on the desirability of dropping the permit threshold level to 20,000 gallons. Although the amended language does not specify any particular time unit, Mr. Erlbaum provided the state statutory language: 20,000 gallons per day averaged over a calendar month. The current 57,600 gallons per day threshold also does not have a time unit, although the general understanding is that this is not an average, but simply a limit for any one day. Concern was expressed that 20,000 gallons per day averaged over a calendar month might actually be a lesser threshold than the 57,600 gallons per day limit. The board decided to send this section back to the PC for language refinement.

LUDR Section 5.3(B) Site Plan Review Process

- This amendment adds a new (B)(1) “preliminary review” process that enables applicants to meet with the Development Review Board (DRB) to discuss a plan prior to a formal application. The new (B)(2), formerly (B)(1), has some minor language alterations.
- A lively discussion ensued regarding the advisability of using the DRB as a sounding board for incomplete, unwarned applications, as opposed to allowing the PC to serve that role. Ms. Vissering and Ms. Potter requested that the board allow the PC to reconsider this amendment. The board agreed.
- No concerns were expressed regarding (B)(2).

LUDR Section 5.4(B) Conditional Use Review Process

- This amendment is a duplicate of 5.3(B), except this time for conditional use reviews instead of site plan reviews. This amendment will also be returned to the PC.

LUDR Section 6.1(B)

- No concerns expressed

LUDR Table 6.1

- No concerns expressed

LUDR Section 6.6(A)

- No concerns expressed

LUDR Section 7.8(A)(1)

- No concerns expressed

LUDR Section 8.2 Definitions

- No concerns expressed

The board directed that the PC reconsider the language for the proposed amendments to LUDR Sections 4.6.2, 5.3(B)(1), and 5.4(B)(1). The board will continue its review of the proposed amendments once in receipt of the PC's recommendations for these three sections.

Consideration of Plow Purchase For Town Pick-up Truck

Road Foreman Mike Garand has requested, and board members previously agreed to consider, the purchase of a plow for the town's 2013 GMC Sierra 2500 truck. Mr. Northrup has investigated the available local options and recommends the purchase of an 8' Fisher heavy duty straight plow blade from Formula Ford. The cost with installation is \$4,699.

Motion: To authorize the expenditure of \$4,699 for the purchase and installation of an 8' Fisher heavy duty power angle plow from Formula Ford. Made by Ms. Swasey; second by Mr. Sparrow. Passed unanimously.

Consideration of Real Estate Appraisal Proposals

The Selectboard has interest in two tracts of land potentially for sale in the East Montpelier Village area and would like to have professional appraisals done. Larry Martin of Martin Appraisal Services, Inc. has provided proposals for the two commercial property appraisals.

Motion: To authorize Town Administrator Johnson to sign the two commercial appraisal services agreements with Martin Appraisal Services, Inc. Made by Mr. Northrup; second by Ms. Swasey. Passed unanimously.

Access Permits

Chair Gardner presented Access (curb-cut) Permit Application 14-045 for board consideration. Sally and Jim Olmsted are in the process of subdividing the land they own (the former Bruce Butler property) at 219 Brazier Road into two lots: a 3-acre lot including the existing house; and, a 53.9-acre building lot that is the subject of this curb-cut request. The subdivision application is scheduled for final plan review at the Development Review Board meeting on September 2, 2014. Road Foreman Garand has examined the site and supports the curb-cut location subject to certain

grading requirements.

Motion: To approve Access Permit Application 14-045 subject to the following condition: this permit will be void if Subdivision Permit Application 14-047 is not approved by the Development Review Board. Made by Ms. Swasey; second by Mr. Northrup. Passed unanimously.

Excess Weight Permits

Chair Gardner presented an excess weight permit application for Francis Pion Trucking.

Motion: To authorize Town Administrator Johnson to sign Excess Weight Permit Application EW-14-44 for Francis Pion Trucking. Made by Mr. Northrup; second by Ms. Swasey. Passed unanimously.

Warrants

Members reviewed and signed the warrant.

Minutes

Chair Gardner presented the minutes of the August 4, 2014 Selectboard meeting.

Motion: To approve the minutes of the August 4, 2014 East Montpelier Selectboard meeting as amended. Made by Mr. Sparrow; second by Mr. Northrup. Passed unanimously.

Other Business

Town Administrator Report:

Board members reviewed the latest Google Analytics report on the town website usage. The site received nearly 800 visits in the past month.

The VT State Police summary report for May – July 2014 of police activity under the contract with the town showed a moderate level of tickets and warnings issued.

The September 1, 2014 Selectboard meeting is canceled due to Labor Day. To even out the September schedule, the board also canceled the September 15 meeting. The board will hold “special” regular meetings on September 8th and 22nd, both starting at 6:30 p.m. at the town office.

Zoning Administrator Report:

TA Johnson presented a report of the current zoning permit activity.

The September 2nd DRB meeting will include hearings for the following:

- Marc Fontaine’s addition of a chipper room to the new sawmill building at 628 VT Rte. 14 N
- A 2-lot subdivision of the Olmsted property at 219 Brazier Road

- A series of 3 subdivisions of farm properties owned by Lylehaven Farm:
 - 3-lot subdivision of farm & land at 355 VT Rte. 14 S
 - 2-lot subdivision of land between East Hill Road, Clark Road, & VT Rte. 14 S
 - 2-lot subdivision of farm & land at 860 Drake Road

Motion: To adjourn. Made by Mr. Sparrow; second by Mr. Northrup. Passed unanimously.

Meeting adjourned at 8:50 p.m.

Respectfully submitted by Bruce Johnson, Town Administrator

Approved: September 8, 2014 East Montpelier Selectboard Meeting