

West Windsor Selectboard  
Draft Minutes  
December 11, 2017

Present: Dick Beatty, Brett Myers, Win Johnson, Mike Spackman, Cathy Archibald, Martha Harrison, Tom Kenyon, Dave Dugdale, Amy Rusiecki, Heather Hoyns, Sue Greenall, Deb Shearer, Craig Miscovich (Downs, Rachlin, Martin), Mike Dudley, Susan Hines, Annie Burke, Al Keiller, Barbara Truex, BJ Harrington, Xaveria Vegh

- 1) Call to Order – Selectboard Chair Dick Beatty called the meeting to order at 6:30 PM.
- 2) Changes or additions to the agenda – The November Police Report and the location of the radar speed sign will be considered under “Other Business” and “Highway Foreman’s Report.” SWCRPC contract: Martha said the Southern Windsor County Regional Planning Commission will be providing a contract for the road erosion inventory they’re going to be doing for us in the spring. The contract is not ready yet, but they asked me to inquire whether you’d be willing to back-date to December 1<sup>st</sup> and authorize signing it. Dick said he doesn’t want to sign a contract without seeing it. Martha said she will let the SWCRPC know that the Selectboard is meeting again tomorrow and on December 18<sup>th</sup> and can consider the contract at one of those meetings. Town Clerk’s report and orders: The Selectboard agreed to move these two items to the end of the meeting.
- 3) Announcements/Public Comment – None
- 4) Re-appoint Zoning Administrator – Dick said it’s his understanding that the Planning Commission has recommended the re-appointment of Deb Shearer. **Win moved to re-appoint Deb as Zoning Administrator. Brett seconded the motion, which passed unanimously.**
- 5) Public Hearing: Land Use & Development Regulations – Dick opened the hearing for public comment. Deb had several clarifications from the Planning Commission: the coverage in the Rural Residential district should be 10%; Section 2.7 should reference Article 8 and PUDs should be added as a Conditional Use; and Section 2.8 should also have PUDs as a Conditional Use. Regarding Shannon Harrington’s written comment about allowing Home Industry in additional districts, Deb said the Planning Commission does not want to make that change at this time but will consider the suggestion for a future amendment. Deb said Shannon also suggested modifying the appendix with regard to subdivisions. Dick said the definition of subdivision should refer to “three or more lots” since Deb will be able to approve two-lot subdivisions administratively. Tom had a complaint about the front setback in the rural residential district, specifically as it applies to the Niles property. Tom said he doesn’t think any of the existing structures on Sheddsville Road are 55’ from the center of the road. There was discussion about how setbacks are measured. Win said a petition to change the setbacks in the regulations would have to go to the Planning Commission (PC). Al said the PC considered setbacks during their revision of the regulations but if someone makes a convincing argument to change them, they would consider it. Dick closed the public hearing at 6:50 PM. **Win moved to approve the Zoning Ordinance, as written, with the minor points of clarification discussed, and with the understanding that the Planning Commission is going to consider future amendments for Home**

**Industry, and possibly for setbacks. Brett seconded the motion, which passed unanimously.**

- 6) Discuss renewal of mapping contract with Listers – Annie said the Listers recommend a 3-year limited contract with Avatar, with the expense to be shared by the Listers and Zoning. Dick described what's included in the contract, which has an annual cost of \$1,944. **Win moved to approve the contract and authorize the Chair to sign it, with the cost to be split between the Listers and the Planning Commission if that's what was done last time. Brett seconded the motion, which passed unanimously.**
- 7) Event application by Vermont Adaptive Ski & Sports for the Vermont 100 Race at 1850 Silver Hill Rd. from Thursday, July 19, at 9:00 AM until Sunday, July 22, at noon – The applicant had no further comments. Dave Dugdale said he spoke with his attorney last week and it's his understanding that his attorney was playing phone tag with Town Attorney Matt Birmingham. **Win moved to approve the event with the condition that the applicant repeats the sound monitoring done a few years ago. Brett seconded the motion.** Dick noted the applicant's efforts to make the event as neighborly as possible. **Dick called for a vote on the motion, which passed unanimously.**
- 8) Highway Foreman's report – Culvert inventory: Mike said the inventory is done. Mike added that the contract with SWCRPC that Martha mentioned at the beginning of the meeting needs to be dated December 1<sup>st</sup> so the town can be credited for the work done on the inventory. Win asked if this is the contract to inventory the hydraulically connected road segments. Mike said yes and noted that the culvert inventory is part of that. Road Management meeting: Win noted that he and Mike recently attended a road management meeting in Montpelier. Win said they didn't get any sense that there was going to be any relief on the new Municipal Road General Permit (MRGP) requirements. Win said Mike made the point at the meeting that the requirements appear to be unaffordable in the long term. Dick asked if there have been any changes to the fees. Mike said no; the annual fee is still \$2,000. Win noted that the permit no longer requires the use of one-foot minus stone. Mike said that change will help a little but expressed concern about the cost of the program, both now and ten years from now when all the materials have gone up in price. Win agreed that they couldn't answer a lot of the cost questions being asked. In the short term, Win said, there are some projects we need to do anyway and we can address any related drainage problems at the same time. Win noted that VLCT is also pointing out the long-term funding problems associated with the MRGP requirements. Win added that the meeting reinforced the importance of safety training. Salt workshop: Mike said he recently attended an excellent workshop on road salt, and there are some new approaches he thinks the town should try. One-ton truck: Mike said he is pricing a replacement for the one-ton truck. Plowing: Mike complimented the Highway Department's new employee on his first time plowing for the town. Speed sign: After discussion, it was agreed that the sign should be moved to the northbound lane, in the vicinity of Neil Brown or Jane Stillson's property, south of Sheddsville Road. Deb asked if it records speeds. Mike said yes. Cathy said she will call the Police Chief and let him know where we'd like to move it.
- 9) Adopt Water Ordinance – Win noted that the Selectboard received a constructive letter from David Leavitt today regarding the official map referenced in the water ordinance, among other things. Win noted that the town received a first draft of the map from our engineer today. Martha said she has requested a full-size hard copy of the map. Win

noted that we've had a 3-month comment period and have considered comments from the attorney for the property owners, and from our attorney. **Win moved to adopt the water ordinance as written.** Dick said when the map is finalized, we can attach it to the ordinance. **Brett seconded the motion, which passed unanimously.**

- 10) Adopt Resolution establishing the West Windsor Utility Advisory Committee – Win said the attorneys got together and drafted a revision to the resolution that allows the user groups to appoint the members of the advisory committee, after obtaining advice and consent from the Selectboard. **Win moved to adopt the revised resolution, with the amendment drafted by the attorneys. Brett seconded the motion.** Tom asked if the word “will” in the ordinance has the same meaning as the word “shall.” Win said we've already adopted the ordinance. Dick said there's no real difference between “shall” and “will.” Win agreed. Tom said “shall” means the Selectboard has to do it. Win said we'd have to do a word search in the ordinance and then amend it. **Dick called for a vote on the motion, which passed unanimously.**
- 11) Appoint Tom Marsh to Utility Advisory Committee – Tom asked if Tom Marsh would be a voting member of the committee. Win said since it's an advisory committee, he would hope that the Selectboard would accept advice from all the members. Win noted Tom Marsh's administrative experience with utility systems. Dick said the Selectboard will make the decisions but it's looking for the advice of the committee and all those who serve on it. Dick noted that the reason for appointing a non-user to the committee is to benefit from that person's expertise. Win noted that he and Martha visited with Tom Marsh last month and asked him if he would consider being a member of the committee and he readily agreed. **Win moved to appoint Tom Marsh to the Utility Advisory Committee. Brett seconded the motion, which passed unanimously.**
- 12) Water system update – Mission system: Martha said when AT&T shut down their 3G tower behind the Base Lodge, the Mission system stopped working, so our operator ran the system manually for a couple of days until they figured out what was going on and got AT&T to temporarily re-connect the tower. Win said the Mission system vendor is working on a fix but they were not notified in advance of the change from 3G to 4G. ATV: Mike said he found a used ATV with an enclosed cab, but no tracks, for \$7,000. Tracks would cost an additional \$4,500. Mike said if Ascutney Outdoors (AO) would agree to pack the snow with their groomer, Patricia and Dennis could get up to Reservoir 1 with chains on the ATV most of the time. Dick asked Mike to talk with Glenn Seward to see if AO would agree to help. Mike said the vehicle is a Ranger-style Polaris at Robbins Sled Truck in Windsor. Win suggested having Patricia and Dennis take a look at it. **Dick moved to purchase the vehicle for the water system if it's satisfactory to Patricia and Dennis. Win seconded the motion, which passed unanimously.**
- 13) Other Business – November Police Report: Dick noted that the report was fairly standard. Private Road: Martha said the Vermont e-911 Board has asked the town to make the Dunkel driveway a private road because it serves three structures. Martha said she can send out a letter asking for road name suggestions. The Selectboard agreed.
- 14) Approve Minutes – November 27<sup>th</sup>: **Brett moved to approve the minutes. Dick seconded the motion, which passed with Win abstaining.** December 5<sup>th</sup>: Win said the minutes should be amended to reflect the fact that the Selectboard changed their December 19<sup>th</sup> meeting to December 18<sup>th</sup>. Dick said the minutes should also reflect that Cathy can either use, or carry over, four vacation days into 2018. **Win moved to**

**approve the minutes as corrected. Brett seconded the motion, which passed unanimously.**

15) Town Clerk/Treasurer's Report - None

16) Town Clerk's orders – **Win moved to sign orders. Dick seconded the motion, which passed unanimously.** Win said he plans to talk with Windsor about the police contract fee and traffic ticket revenue.

17) Adjourn – **Win moved to adjourn at 7:43 PM. Brett seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison