

FAYSTON Selectboard Minutes

3/26/19

Selectboard Present: Jared Cadwell, (Jared), Chuck Martel (Chuck) and Michael Jordan (Mike)

Selectboard Assistant: Patti Lewis (Patti)

Minute-Taker: JB Weir (JB)

Guests: Vincent Yasi (c44), Don Simonini (Don), Karen Sherer (Karen), Gerry Nooney (Gerry), David Frank (David), and Dick King (Dick)

1. Chuck made a motion to approve Selectboard (SB) minutes of March 8, 2019. Mike seconded, no further discussion, all in favor, motion carried.

2. Gerry was present on behalf of the Mad River Riders. The Riders are holding their second annual Gravel Grinder on May 5th called the Cranko De Mayo. The bike trip will begin and end at Lawson's, going up Route 17, up Marble Hill and then out to Sugar Run condos. Gerry needed a festival permit from Waitsfield. Gerry wanted to make sure there was nothing he needed from Fayston. The SB had no issues with the event. No permitting is required.

3. Karen and David were present to discuss the next steps in the impending ADA and related renovations at the Robert Vasseur Town Hall. Karen and David are spearheading the project for the Town. The renovations were approved by voters at Town Meeting Day 2019. Karen is about ready to apply for the permit from the Department of Public Safety, Division of Fire Safety. Karen wanted to make sure she had all the correct information for the permit application. This being a project under \$200,000, the Town can apply for a small construction permit for existing buildings under \$200,000. The scope of work includes the modification of two existing men's and women's stalled restrooms into two single-occupant unisex bathrooms. One bathroom shall be ADA accessible while the other should be as close as possible. Also included, per recommendation of Glen Moore (Department of Public Safety), is the removal of the storage shelves in the upper bathroom. The project cost based upon Karen's valuation was \$53,192. The fee for the permit application is \$425.54. Jared would like to authorize the application fee now to get the project going. The SB did not believe a Request For Qualifications (RFQs) was necessary. Jared mentioned that for equipment there is a \$5,000 threshold for a Request For Proposals (RFPs), and that same threshold should apply here. Karen stated that the materials required for submission to the State for permitting can be used for the RFPs. The Town needs to draft the RFP. The SB agreed that the RFP could be published prior to receipt of the approved State permit so long as the RFP publication noted that the State permitting is pending. David and Mike will draft the qualifications for the RFP for discussion at the April 9, 2019 meeting.

Jared wanted to touch base with respect to the Town Garage. The current state of the garage and recommendations for its upgrade need to be investigated for discussion at the next meeting. Tom Clark is amenable to help. Jared would like to arrange a site visit to the garage with Karen, David and the SB prior to the April 9, 2019 meeting.

4. Dick King was present to discuss Mad River Green, Inc.'s request to donate parcel ID# 04-025.00 to the Town. Chuck had questions as to which lot it actually was, as the tax maps noted 04-025a-d. In addition, Chuck was curious as to the development options on the parcel – specifically as to steep slopes and wetland. Chuck was curious as to whether this parcel could be utilized for affordable housing. Dick believed there was nothing to prevent such use that he knew of. John offered to look into the land records and provide the SB with more information as to location, steep slopes, wetlands, and development possibilities for the parcel. Dick mentioned that there is a water tank on the parcel. The State verified that it could be broken up and buried on site without environmental contamination issues. No permit is needed to demolish. Dick believes the lot would be buildable and come without any encumbrances.

5. Don was present to discuss the Town of Fayston email database. Mail Chimp would be the platform. Don says there is someone who can help get the database off the ground. The cost would be around \$500. Don drafted a letter to be sent on behalf of the SB to both full-time and part-time residents. Chuck believes the letter is too long and should be shortened so that it is read and not junked. In addition, Chuck believes the town survey discussion within the letter should be either condensed with bullets or removed. Chuck will make suggested edits for the April 9, 2019 meeting.

Don mentioned the MRVPD Steering Committee meeting from last week concerning the Doug Kennedy Advisors' MRV Housing Demand Analysis Draft Proposal. The cost is \$6,000. This cost would be spread among the three MRV towns – each paying \$1,000 – and the MRVPD would cover the remaining \$3,000. The SB would like more information on what exactly the Town would get from this. The more specifics the better. In addition, the SB needs to find where the \$1,000 contribution to the proposal would come from. Don will ask Mariah Noth (Maria) of the MRVPD for more information.

6. John was present to discuss the Atkinson violation on Village Road. The property owner had applied for and received a front setback waiver down to 45 feet to construct a single-family home with attached garage at 405 Village Road. The house, however, was constructed within the approved front setback buffer – approximately 26 feet from the centerline of Village Road. In addition, the property owner constructed a porch without a permit. Furthermore, that porch was constructed approximately 20 feet from the centerline of Village Road. These constitute three separate zoning violations. Per John's Notice of Violation, these violations accrue up to \$300 per day that they continue beyond the seven-day statutory period to cure. Mike and Jared have both visited the property to see the violations. Jared moved to impose fines as assessed by the Zoning Administrator, and Mike seconded. All in favor, motion carried.

7. John was also present to provide an update on the Christina Castegren (Christina) parcel on Boyce Road. Christina requested that her subdivision permit be withdrawn after a lengthy litigation over road maintenance issues. Per advice of the Town attorney, Chair of the Development Review Board Jon Shea nullified the permit approval on the face of the applications and decision. These were recorded in the land records and the permit is now null and void. John also verified with the Town attorney that the prior subdivision on that land reverts back into effect (a/k/a the Newis subdivision). John will re-send the Newis subdivision approval to the SB for review of the condition pertaining to the upgrade/maintenance of Boyce Road. The SB also discussed a letter addressed to the SB from Ben and

Wendy Bridgewater regarding the DRB process, the Castgegren subdivision and the drainage issues on Boyce Road. The SB is reconsidering its decision with regard to the upkeep and maintenance of Boyce Road. This will be further discussed at the next meeting.

8. John was present to discuss revisions to the Zoning Fee Schedule. The revisions stemmed from the fact that the costs for publication in the Valley Reporter have increased since the fee schedule was last updated in 2009. John proposes to increase the fee for publication from \$30 to \$50. In addition, John proposes an increase of \$15 for permits for residential additions less than or equal to 250 sq. ft. (from \$50 minimum to \$65 minimum); the cost for a Certificate of Occupancy from \$20 to \$25; and the cost of a Change-in-Use permit from \$50 to \$75. Chuck moved to approve the changes to the Zoning Fee Schedule as proposed by John. Mike seconded, no further discussion, all in favor, motion carried.

9. Mike moved to accept the Minutes of Town Meeting. Chuck seconded, no further discussion, all in favor, motion carried.

10. The SB signed excess weight permits for Pike Industries, Inc., Birdseye Building Company, Inc., Structural Wood Corp., SD Ireland Concrete Construction Corp./SD Ireland Brothers Corp., Goin' Owen's Little Digger Service, McCullough Crushing, Inc., John French & Sons Trucking, Inc., Blue Flame Gas, United Natural Foods, Inc., Rice Lumber Company, Tim Thompson Trucking, Structures RBR, Inc., Harrison Ready-Mix Corp., Dubois & Newton Construction, Inc., and Camp Precast Concrete Products, Inc.

11. The SB renewed and signed the liquor license for the Tucker Hill Inn.

12. Other Business: Jared provided an update on the self-governance bill in the legislature. The bill calls for a pilot program for 10 towns to apply into. It would allow greater flexibility for towns to pass local ordinances or initiatives without having to go to the legislature for approval (i.e. speed limit changes). Another bill in the legislature, sponsored by Keri Dolan, is H. 386 which would change the formula for the Town/State split for LOTs from 70-30 to 90-10. The change would only be applicable for towns with a population under 5,000 people. Jared also provided an update on the Memorandum of Understanding regarding the limited options tax (LOT). The current discussion has gone from the Planning District passing an LOT for all three towns to each town passing its own LOT. Each town would administer its own LOT and then contribute from its collection to a Planning District administered - but not chartered - Committee. The Committee would be comprised of appointees made by each town. A brief discussion was also had as to the cost-benefit analysis of paved versus gravel roads during mud season.

13. The SB read mail and signed orders of March 9, 2019 – March 26, 2019.

7:35 p.m. – Chuck made the motion to adjourn. Mike seconded. No further discussion. All in favor. The motion carried.

The next SB meeting is **April 9, 2019 at 6:00 p.m.** at the municipal building.

Respectfully Submitted:

JB Weir

Approved: Jared Cadwell