

Select Board Meeting Minutes
April 30, 2019

Select Board Members: Jared Cadwell (Jared), Chuck Martel (Chuck), Mike Jordan (Mike)

Select Board Assistant: Patti Lewis (Patti)

Road Foreman: Stuart Hallstrom (Stuart)

Minutes Recorder: Lisa Koitzsch (Lisa)

Guests: Sheila Getzinger (Sheila), Don Simonini (Don), Karyn Scherer (Karyn), Ky Koitzsch (Ky), Nick Skwira (Nick), Peter Ludlow (Peter), Michele Gaboriau (Michele), and Liza Walker (Liza), and Corrie Miller (Corrie)

Jared called the meeting to order at 6:00 p.m.

1. Chuck made the motion to approve the Select Board (SB) minutes of April 19, 2019. Mike seconded, no further discussion, all in favor, motion approved.
2. Atkinson Zoning Violation: Sheila Getzinger appeared on behalf of the Atkinsons. Jared said the SB, John Weir and John Klesch, Attorney, had reviewed the settlement agreement signed by the Atkinsons. Jared asked Sheila when the fine would be paid and Sheila replied that it would be paid within 10 days. Chuck made the motion to approve the settlement agreement. Mike seconded, no further discussion, all in favor, motion approved.
3. Development Review Board (DRB) Interviews: The SB is looking to appoint a full member to the DRB as John Shea would like to step down. His term expires in March of 2022. The SB is also hoping to appoint two possible alternates to the DRB. Jared asked each interviewee to tell the SB a little bit about themselves and why they are interested in participating in the DRB.
Ky Koitzsch: Ky lives on Bragg Hill Road and has been in the Mad River Valley since the early 1990's. He told the SB that as a builder and timber framer he is very familiar with the entire building process and with most of the contractors working in the Valley. He would like to help people build and develop their land responsibly. He thinks it is important to follow the Town Land Use Regulations carefully and to be aware of both the ecological and social impacts of building. As a wildlife biologist, he has seen the impact that development can have on natural resources (such as fragmentation and wildlife corridor disruption) and hopes to be able to work with landowners to come up with creative solutions throughout the building process. He also mentioned his work with the Fayston Conservation Commission and said he would be excited to join the DRB.
Chuck thanked Ky for stepping up and volunteering and mentioned that the DRB focuses on the implementation of Land Use Regulations. Don Simonini, Planning Commission, commented that there is a need, especially with larger subdivisions, for inspection of building sites both before and after development. Jared believes that currently, follow-up is intermittent and that there is nothing in force to say that there will be a site visit follow-up. Ky stated that he feels the DRB should do more site visits and advocated for more involvement and more follow-up. Chuck

stated that the town now has more flexibility since John Weir is full-time vs. part-time. Ky asked if John needed help reviewing permits and Jared said that DRB members should check in and review permits that have been issued. Ky reminded the SB that his wildlife work will keep him out of the Valley for two months in the winter. Chuck said that alternates could help fill in if Ky is selected.

Nick Skwira: Nick rents a home off German Flats Road but has recently bought a piece of land on N. Fayston Road where he is planning to build. He has a background in architecture and construction. He works for a builder in Stowe and has quite a bit of experience putting development packages together for submission to town zoning boards. He has worked for a couple of architects in the Mad River Valley and has done some work with Sugarbush. He currently works mostly with custom homes. Jared asked Nick what lessons he has learned from being a permittee. Nick replied that he has learned about the process, all the different facets and the people involved. He is thinking of starting a construction business in the Valley. Chuck stated that the DRB tries to guide applicants through the building process and helps them do things they want within the guidelines of land use regulations. Nick said he has worked with John Weir who has been very helpful in this process.

Peter Ludlow: Peter has lived on Mansfield Road for three years. He said he is interested in becoming more involved in the Town and how it operates. He has a background in electrical engineering and has been involved in building and development through work with friends and family. He told the SB he feels he can bring perspective to the table and can help facilitate the development process. Most of his work experience has been in corporate and contract management. He said that there is a balance between what nature wants to do and what people want to do. Chuck asked if he could elaborate on his construction experience. Peter responded that it has mostly been work for his own family and friends. He noted that he has had a good experience with the Town, especially with John Weir and Patti Lewis, in order to secure his building permit. Don said that he has worked closely with Peter and stressed that Peter asks good questions. Jared thanked Peter for his involvement in the Land Use Regulation revision. The interviews were concluded.

Chuck commented that he was not sure if the DRB guidelines are set up to allow alternates. Currently, the Planning Commission does allow alternates but he said the DRB would need to be clear about the role an alternate member could take. For instance, an alternate could participate in discussion but not make any motions or vote on anything. Jared asked Chuck if the SB should be worried about state statutes and whether this would be the SB's or the DRB's directive. Chuck offered to contact John Weir and check on any statutes or existing guidelines. The SB agreed to a decision tonight as to who will replace John Shea and complete the remainder of his three-year term.

Jared nominated Ky Koitzsch to serve for the remainder of John Shea's 2019 -2022 term on the DRB. Mike seconded and commented that Ky's depth of experience in the town was the most robust out of all the applicants. Chuck agreed and stated that he would be the best person to step in based on his past experiences. No further discussion, all in favor, motion approved.

4. Emergency Management Coordinator: Mike made the motion to appoint Craig Snell as Fayston's Emergency Management Coordinator. Jared seconded, no further discussion, all in favor, motion approved. Patti said that Waitsfield's Coordinator is ready to pass on information as

soon as he is appointed and that the Town's Emergency Management Plan is due. Patti will contact Craig to let him know that he has been appointed.

5. Bragg Hill Update: Jared said that Mike and Stuart reviewed the work done by G & N Construction and Mike informed the SB that the work is now complete. Jared said that Town is prepared to pay the balance due. Mike made a motion to approve the final contract for G & N Construction's Bragg Hill project. Chuck seconded. Michele Gaboriau of G & N requested that the interest be considered in the payment to her company. Jared stated that due to the issues with the work not being completed within specifications, the Town is not willing to pay the interest. Patti has prepared the check for the balance due and Michele will pick the check up tomorrow morning. No further discussion, all in favor, motion approved.
6. Road Crew Tablet Decision: Mike said it would be best to keep the same platform as the State. He and Jared approved of purchasing the tablet from Small Dog for \$559.00. Patti said she had received an email from Dan Currier and there might be a state contract for purchasing tablets that may reduce the cost slightly. Jared and Mike agreed that it would be worth looking into this. Chuck commented that he was pleased with the price as the initial estimate had been around \$1,100. He also said that these different options fall under the threshold of vetting bids. Jared said the Board would approve the cost of the tablet.
7. Access permit on Moulton Road: Stuart reported that the current driveway comes in on an angle and that the owner, Matthew Pakos, would like to bring the driveway straight out to the road. Stuart said Mr. Pakos would need to install an 18" culvert and that the driveway will have quite a steep access. He indicated that snowplowing could be challenging. Chuck made a motion to sign the curb cut application for Matthew Pakos with Stuart's conditions. Jared seconded, no further discussion, all in favor, motion passed.

Other Business – Town Hall ADA modifications: Karyn Scherer, Architect, reported that she sent out an updated legal notice to the paper and instructions for the bidders to the SB earlier in the week. The walk-through will happen on Friday, May 17th instead of May 15th, and bids will be due by 3:00 p.m. on Thursday, June 6th instead of 4:00 p.m. Mike said that he would participate in the walk-through. Karyn reported that she has not heard back from Dave Frank regarding alternates but that otherwise things were ready to go. Mike mentioned the need to change item #3 – door replacement. Karyn said she will send a clean legal ad and bid proposal to Patti and will also give the town an entire bid set to keep in the office. She is meeting with John Weir on Thursday to discuss Town Garage setbacks, zoning issues, etc. and invited Stuart to the meeting. She will also speak to John about a zoning/building permit for the work on the Town Hall and will follow up with the SB after her meeting.

8. Email System Detail Discussion: Don reported that the draft letter to taxpayers has been approved and that Eastern Systems is producing the envelopes. He acknowledged receiving comments and concerns about too much information being sent out via the new email system and proposed that approximately five messages be sent out per month: two from the Select Board with agendas for upcoming meetings, two from the DRB, and one would be a summary with links to the Planning Commission, Conservation Commission and any announcements from

the Town. He told the SB that he and Patti have worked through the technical issues and that the system should work smoothly. Patti expressed her concern that the email system might be subject to open meeting law, similar to the Town's website, and that the Town might have to provide the same information in all their communications to the public. Don suggested adding a disclaimer to each email and Jared suggested that Patti follow up with the Secretary of State's office and the VLCT. Patti also said it would be helpful to add a "Do Not Reply" message on the emails as she is concerned about getting too many new emails from this system. Chuck agreed that this could be a problem. Mike suggested that we put a message on each email to tell people not to reply and then give alternate contact suggestions. Chuck also said that he did not want these emails to create more work for the Town Clerk and Assistant Town Clerk. Don explained the Mail Chimp process and said he did not think it would create more work. Mike asked about posting information about special events such as elections, road closures, etc. Jared stated that all communication should be kept as simple as possible. Don said that he and Patti would keep talking and streamline the process.

9. Housing Analysis Request from the MRVPD: Jared reported that the MRVPD has proposed using Doug Kennedy, Consultant, to delve more deeply into information that has been collected to make recommendations specific to market supply analysis and market potential assessment. The work would be done in eight weeks. Jared said from his standpoint, this is an opportunity to bring more definition to the issues and will result in either a better idea of what needs to be done or what shouldn't be done. Having an expert, such as Doug who is familiar with this market and has worked in a lot of the ski area markets across the US, will give the Valley more specific feedback on information that has already been collected. Don added that Doug has access to data and software which will provide a more in-depth analysis and that a byproduct of this, from the housing coalition standpoint, is the ability to go to a developer and have something to talk to them about. Jared said that it would provide the MRVPD with a baseline. Jared made a motion that Fayston contribute \$1,000 to this in-depth housing analysis, to be matched with equal amounts from Warren and Waitsfield and a \$3,000 overall match from the MRVPD. Chuck seconded. Chuck commented that there are skeptics in the Valley about the need for work force housing so that this is a good next step to establish if there is an actual need, and if there is, how much of a need there is. Jared said engaging Sugarbush in what has worked and what has not worked is important and that the Sugarbush contact is very supportive of helping. Mike said that the fact that it is going to be more comprehensive and valley-wide, makes it very valuable information. There was no further discussion, all in favor and the motion was approved. Patti asked what budget account this money would come out of and Jared recommended that this could come out of same account that the Atkinson fine will be placed in. Don reported that the Housing Coalition Board Officers were named at their last meeting.
10. MOU/LOT Next Steps: Jared said it is time to sit down with SB representatives to discuss and come up with an MOU between the three towns that could be put on the ballot for a vote, possibly at Town Meeting in March of 2020. He recommended that two representatives from each Select Board attend these discussions and that meetings should be publicly warned. Chuck asked if there would be an outside facilitator for these meetings and Jared said that this was a great point as the SB representatives would need to understand the rules and procedures. An

MOU is not something we do on a regular basis and that a facilitator could help set milestones. Jared said there is a draft MOU on the MRVPD website but that it is still evolving. It is an MOU that stipulates how the funds from each town would be collected and used together for one common purpose. Chuck said that Waitsfield nominated Kelly Mazur and Darryl Forest. Warren has Bob Ackland but has not nominated another rep yet. Chuck asked if the MRVPD subcommittee is continuing. Jared replied that the role of the subcommittee will change as the process moves forward. Don commented that community involvement would continue through this sub-committee. Chuck stated that communication needs to be open and that the subcommittee needs to be able to continue that.

Jared made the motion that the Fayston Select Board shall proceed with negotiations with the Warren and Waitsfield Select Boards for the purpose of formulating a three-town MOU/Local Option Tax proposal to be voted by Australian Ballot at Town Meeting, March 2020. Chuck seconded, all in favor, motion passed.

11. Excess Weight permits were signed from Veilleux & Son Trucking, Inc.; N.A. Manosh, Inc.; Patterson Fuels and Propane; Sean F. Krusch; Ernest P. Krusch; Huntington Homes, Inc.; Barrett Trucking Co., Inc.; Haskins & Associates Concrete, LLC; and, Hutch Crane and Pump Rental Corporation.
12. Liquor licenses: Mike moved to ratify the signing of the Sugarbush Outside Consumption permit and the Mad River Outside and First Class Liquor License permits. Chuck seconded, no discussion, all in favor, motion approved.
13. Other Business - Road Foreman Report: Stuart said a couple of roads (Kew Vasseur and Center Fayston) have had issues this mud season and the crew has been working to fix them. Jared asked Stuart about the availability of gravel in the Town pit. Stuart said it was time to take the Sassi camp down so the Town could begin to produce more gravel. He told the SB that the best alternative would be to take it down and that it would probably fill two to three dumpsters. Mike told Stuart to look into the cost of the dumpsters and Jared agreed that it made sense to proceed with this plan. Stuart also told the SB that two of the road crew employees asked if they could use the firewood from the trees that will be cut down around the old camp. The issue of insurance was discussed. Since the town rents an excavator in the summer for one month, the SB and Stuart discussed renting it for two or three months instead, both to help with the Sassi Camp removal and to save wear and tear on the Town's backhoe.
14. Chuck made a motion to authorize Jared to sign the chloride dust control agreement with Gorman Group per Stuart's recommendation. Mike seconded, no discussion, all in favor, motion approved.
15. Jared made a motion to close the public portion of the meeting at 7:50 pm to move into Executive Session to discuss a legal matter. Mike seconded, all in favor, motion approved.
16. Chuck made a motion to come out of Executive Session at 9:01 p.m. Mike seconded, all in favor, motion approved. No action was taken during Executive Session.

At 9:02 p.m. Jared made the motion to adjourn the SB meeting. Chuck seconded, no further discussion, all in favor, motion approved.

The next SB meeting is **May 7, 2019 at 6:00 p.m.** at the Robert Vasseur Municipal Building.

Respectfully submitted,

Lisa O. Koitzsch

Approved: Jared Cadwell