

## SELECTBOARD MEETING MINUTES

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Tuesday, July 5, 2022, 5:30 p.m, Old Schoolhouse Common and Zoom

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Present: Selectboard members Richard Baker, Christopher Martin, and Michele Gonzales; Town Clerk Bobbi Brimblecombe; Visitors: Charley Burbank, Alex Hickory; Stranahan Stewardship Committee members Nancy Everhart and Ellen Cooke; Toby Danforth; Zoning Administrator Kathleen Hayes

At 5:30 p.m. the meeting was called to order by Chair Chris Martin

**Changes or additions to the agenda:** Recreation Committee request, Cat contract

**Public Comment:** (Neither Mr. Danforth nor the Zoning Administrator were present at the beginning of the meeting). Charley Burbank explained that he has had an ongoing problem with an adjoining landowner, Toby Danforth. He has been dealing with this for three years. He filed a complaint with then-Zoning Administrator Mitch Osiecki 2.5 years ago. He can't get into his property in the winter because of structures that are in the way of his right-of-way, making it difficult to plow. He has asked the Zoning Administrator whether there are permits for the structures. Charley does not want to pay for a survey unless the Town will enforce the regulations. Rich Baker explained that only the Zoning Administrator can do zoning enforcement. Charley explained that the upper structure is only 20' from the property line. Alex Hickory asked, if he has his property resurveyed to replace the pin, what would happen? Chris explained that if the survey was completed, that would determine the setbacks, and that would determine whether he is in compliance with zoning. Rich explained that if the Zoning Administrator sends a notice of violation, and he doesn't comply, the Selectboard would have to have the Town Attorney pursue enforcement in the courts and it would be a lengthy process. Charley feels that Toby should have a permit for the structure, regardless of whether it meets setbacks or not. The Board will look at the Solid Waste ordinance to see if it can be used for enforcement. Charley is also worried about retaliation.

**Minutes:** tabled

**Stranahan Management Plan:** Committee members and the Selectboard discussed the most recent draft of the management plan. The recreation section has been expanded. Parking is a potential issue. Nancy explained that the easement only allows for two parking areas with six spaces each. The Committee will talk to the Vermont Land Trust about parking, but she acknowledged that it is difficult to change an easement. There was discussion about reclassifying the Thompson Road from Class IV to legal trail. The draft plan includes a project list as an appendix.

**Pitkin Farms Rd:** Michael Sabourin explained that Ms. Pitkin feels that it is a safety issue to have cars parking on the curve on Pitkin Farms Road. Bobbi asked whether we could ask the Pitkin family for an easement for a parking area. Chris explained that there is a log landing that could

potentially be used. Rich suggested that we ask for a revocable easement, so they could revoke it whenever they choose. The Board will ask the Stranahan Committee to pursue it.

**NEKWMD Charter Change:** Bobbi explained that our solid waste district is the only district requiring voter approval for the budget. The district would like to have the budget adopted by the Board of Supervisors. Chris moved to appoint Bobbi to the NEKWMD solid waste district. Rich second – all in favor.

**Zoning Issue:** Toby Danforth and Zoning Administrator Kathleen Hayes jointed the meeting. Kathleen explained that there is a notice of violation on the camp. She is going to be issuing a notice of violation against the mobile home. Toby explained that he is dismantling the mobile home so that he can get rid of it. He is taking the seller to small claims court. He is trying to move the camper but he is having difficulty. He is planning to make it a tiny home. Kathleen instructed him to get a permit, and make sure the structure will meet setbacks. Kathleen explained that the camper will need a permit regardless of whether it will be movable or not, if it is going to be staying in the same position. Kate's next step will be to issue a notice of violation for the mobile home and all of the unpermitted structures on the property. Rich Baker explained that if he doesn't move the structures, the Town will be forced to go to court for enforcement and Mr. Danforth will have to pay the Town's attorney costs. Bobbi explained that the town received a letter from residents in the neighborhood who are complaining about the issue. Chris moved that if there is no action on the existing Notice of Violation by the end of July, the Town will pursue legal action through the Town Attorney. Rich seconded. All in favor. Kate is going to issue a Notice of Violation on the mobile home by the end of the week.

**Personnel:** At 6:55 p.m., Chris moved to enter into executive session to discuss a personnel issue. Rich seconded – all in favor. The Board returned to open session at 7:25. The Board will advertise for a Health Officer but Kate will stay on until a replacement is found.

**Cattle:** The Board received a complaint about Greg Bradley's cattle running at large. Bobbi sent him a letter, letting him know about the complaint, and a copy of the Livestock Ordinance. Chris will follow up if it continues to be a problem.

**Cabot Rd/Route 2:** Rich met with VTrans about the alteration of the intersection. The Town needs to hold a public hearing and site visit before deciding on the road alteration. Rich moved to initiate proceedings pursuant to 19 V.S.A. Chapter 7 to alter the intersection of U.S. Route 2 and Cabot Road/Route 215, and to hold a site inspection and public hearing pursuant to 19 VSA 709, at 5:30 p.m. on Tuesday, August 16, 2022. Chris seconded – all in favor. VTrans will draft an agreement giving VTrans permission to work in our Right of Way, without taking over the town road. Rich also asked for a crosswalk near the intersection.

**Vermont Community Leadership:** Bobbi will ask if Melissa Seifert would be interested in attending this conference. If she is not able to attend, Bobbi will ask Pam Quinn.

**Building Communities Grant:** Rich will be willing to apply for this grant for the picnic shelter,

but we are not eligible to apply unless the permits are in place. The Town is waiting for plans before we can apply for a permit.

**Recreation Committee:** The Committee asked for permission to remove the old grill, metal nets, and the old swing set. The Board approved and Bobbi will ask the Road Crew to remove it. They asked for a trash can to be located near the basketball court. The Board approved, and will ask the Rec Committee for a recommendation.

**Picnic Tables:** Spruce kits are available from Larrabees for \$175, or assembled from East Montpelier Home Center for \$299, or \$289 if we purchase 4. Michelle will check prices at another location.

**Sheriff Contract:** The Board signed a contract for traffic enforcement.

**Set Tax Rates:** The Board set the tax rates: Municipal, 0.6008; Local Agreement, 0.0048. The state set the following education rates: Homestead 1.3786; Non-Homestead, 1.4205

**Screen:** The Town received the invoice for the entire amount of the screen, up front. The materials will cost \$9,610.23, and labor will be \$5,000. The Board agreed to pay \$10,000 up front.

**Hazard Mitigation Grant Program:** There is grant money available for generators and flood resilience measures.

**OSC Building Committee:** The next meeting is August 4<sup>th</sup> at 6:00 p.m.

**Expenses, Permits & Payroll:** Selectboard members read and approved reports for General Expenses and Payroll.

The meeting adjourned at 8:45 p.m.

Respectfully submitted,  
Bobbi Brimblecombe, Town Clerk

The foregoing is a true copy of the Minutes of the July 5, 2022 Selectboard Meeting.  
A True Record. Attest, \_\_\_\_\_, Town Clerk

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