

SELECTBOARD MEETING MINUTES

Wednesday, September 17, 2025, 4:30 p.m, Old Schoolhouse Common and Zoom

Present: Selectboard members Justin Campbell, Richard Baker, and Christopher Whalen; Town Clerk Bobbi Brimblecombe; David Lathrop; Garfield Barnes; Lloyd Potter

At 5:30 p.m. the meeting was called to order by Justin Campbell.

Changes or additions to the agenda:

Minutes: Approved the minutes of September 2, 2025 with one minor correction.

Public Comment:

Curb Cut: David Lathrop explained that he applied for a curb cut on Peck Place and had the road crew sign off on it. He submitted a survey showing that his property touches the right of way. Lari Carlson has an earlier survey showing that she owns on both sides of the road. He is applying for a subdivision permit and would like to have the curb cut so that he doesn't have to grant himself an easement across the lot that he is selling. He feels that the access onto Peck Place is safer than the access onto Route 2. He is appealing the Selectboard's decision not to grant the curb cut.

The discussion centered on whether the Board can grant approval for a curb cut across the land of another if both parties don't agree. The two surveys are not in agreement.

Justin explained that the right of way permission belongs to the town, but the Board doesn't feel that they have the right to grant the right of way to someone else over another landowner's property. He feels that the person requesting the curb cut needs permission from the other landowner. He doesn't feel that we can justify legal expenses for the whole town to solve what is a private property dispute.

Chris explained that the Board does not want to prevent David from having the curb cut but the Board doesn't want to do anything unless both parties agree. They suggest that he contact the other landowner and ask whether she would approve of putting permanent infrastructure on her land within the right of way. Bobbi pointed out that the survey notes say the surveyor assumes the approximate limits of the road, and assumes it is 3 rods wide.

David explained that he has been trying to get this approved since early summer. Rich explained that the DRB hearing for David's application was delayed because the DRB was not aware that there was a meeting scheduled because the Zoning Administrator did not send the meeting packet in time.

Rich stated that he is not in agreement with the other two board members regarding whether they could grant the curb cut, but he feels that the two surveys are not in agreement. He noted that the curb cut on Route 2 may not be approved by VTrans to allow it to be used for more lots.

David raised the concern that zoning rules and road rules are getting in the way of new housing. Justin agreed but stated that the Board has assumed the responsibility of working with the rules that we have.

Chris feels that we can't give him a decision and he doesn't want to commit town resources to legal fees for what seems like a dispute between property owners. He encouraged David to contact the neighbor.

Rich is going to contact VLCT to see if they will give a legal opinion about the situation.

Pike Rd: Mike Xenakis has asked the town to discontinue the legal trail from the end of Johnson Rd to Pike Rd. Rich Baker explained the process, which includes a public hearing and a determination whether the discontinuance is in the public good. Justin stated that he is not in favor of giving up public rights of way because it hampers future development. He noted that areas that are out of the flood corridor are going to be more ideal areas to build in the future.

Bobbi noted that we have had a discontinuance overturned because it was found to not be in the public good. Michael asked what defines public good. Rich noted that if people are walking up there, using the trail for recreation, that is public good. Future development potential is public good. Michael explained that developing the property reached by this trail would be irresponsible.

The Board discussed whether putting up a gate to close it to vehicular traffic would be a good solution. They suggested that Michael talk to the other landowners on the road and see how they would feel about a gate.

Park & Ride: The Board discussed the Park & Ride grant and the plan for lights in the Old Schoolhouse Common parking lot. Chris is going to get an updated quote. Bobbi will ask for an extension of the grant.

Conservation Commission: Lloyd Potter explained that Brad Materick has moved and hasn't been engaged with the commission since last year. Emily Wilmers is willing to serve but there is no vacancy without Brad resigning, and he has not responded to numerous attempts to contact him. Statutes require the members to be residents. Brad has moved to Cabot. Justin stated that we will consider the lack of response as a resignation. Rich moved that since Brad has moved out of town and can no longer be a member, Emily Wilmer is appointed. Chris seconded – all in favor.

Old Schoolhouse Common: Regarding the recent vandalism at the Old Schoolhouse Common property, the town discovered that there was further damage to the Old Schoolhouse Common than was previously known. The family has offered to hire Anthony Mulligan to make repairs. The Board approved Anthony's description of the work. Chris will contact the person who caused the damage and will suggest community service.

Stranahan: The Board received a request from the Stranahan committee to spend some of their funds for trail work and signs. Justin moved to approve the request as per Nancy's email. Rich

seconded – all in favor.

Buyouts: The closings happened today. Luke Mulligan is interested in grazing cattle or haying the Drinkwine property. Bobbi inquired and found out from the state that a formal plan needs to be submitted to FEMA and it will take at least 8 months to get approval.

Recovery Funds: Justin moved to authorize Bobbi to accept additional flood recovery funds from the state. Rich seconded – all in favor. The amount of the additional appropriation is \$30,000.

Marshfield Resilience Hub: The MRH has requested permission to install a skid-mounted refrigerator for expanded access to food when the building is not open. The shed would be made so that people could get in but animals could not. Chris explained that the food shelf is seeing more and more need. They are planning to make the shed solar powered. Justin stated that he would like to see the effort put into the existing food shelf. One of the future goals of MRH is to prepare meals in the Old Schoolhouse Common kitchen and put them into the refrigerator for people to pick up. The Board cannot approve use of the kitchen for meal preparation due to deficiencies in the kitchen. The Board will table the decision for the refrigerator shed until the MRH can come to a meeting to discuss the plans, and they have to determine whether a state permit is required. There was also discussion about whether we need a memorandum of understanding, and an agreement about insurance.

Policy: The Board discussed and approved an accounting, auditing and financial reporting policy. They will sign in during the week.

Easements: The Town Attorney has reviewed some of the easements that Bobbi and the bridge engineer drafted. Bobbi will start contacting people and delivering the draft easements.

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

The meeting adjourned at 7:40 p.m.

Respectfully submitted,
Bobbi Brimblecombe, Town Clerk

The foregoing is a true copy of the Minutes of the September 17, 2025 Selectboard Meeting.
A True Record. Attest, _____, Town Clerk
