

WEST WINDSOR SELECTBOARD

Draft Minutes

May 2, 2011

Present: Glenn Seward, Bruce Boedtke, Tom Kenyon, Hal Pyke, Cathy Archibald, Bob French, Ted Knox, Julia Hutchinson, Jim Kenyon, Robin Reilly, Mike Spackman, Karen Corkum, Martha Harrison

- 1) Call to Order – Selectboard Chair Glenn Seward called the meeting to order at 6:30 PM.
- 2) Additions to the agenda – April 11th minutes (evening), April 14th minutes, April 19th minutes, Tree warden report, Bowers Road, invoice from Green Mountain Pipeline Services
- 3) Sign Town Clerk's Orders – The Selectboard signed the Town Clerk's orders. Glenn said he will verify with Mike Spackman that the lighting project at the Town Garage should be allocated to repairs and maintenance.
- 4) Public Comment – Ted Knox read a statement expressing his disappointment that West Windsor is using an out-of-town company for tree removal and has not asked him, a local contractor, to bid on any jobs. Ted said he charges \$50 per hour for each worker and \$50 per hour for each piece of equipment (trucks, crane and chipper). Ted said he would like the opportunity to bid on future jobs.
- 5) Town Clerk/Treasurer's Report – Cathy Archibald said she received a request to include something with the tax bill and she would rather not do that. Cathy suggested posting it on the bulletin board instead. The Selectboard agreed. Cathy also gave the Selectboard information from the George Aiken dry hydrant program. Tom said Windsor may ask West Windsor for a letter supporting their application for a dry hydrant at the Coon Club.
- 6) Public assembly application: VT Adaptive Ski & Sports – Julia Hutchinson was present on behalf of the organization and explained the radio communication network for the event. **Tom made a motion to approve the application.** Bruce asked if Ralph has looked at the application. Julia said Ralph has not looked at it this year. Julia said Ralph's concerns last year were about serving alcohol and parking on the road. Julia said they will not be serving alcohol or allowing people to park on the road. **Bruce seconded and amended the motion to approve the application contingent upon Ralph's review. Tom accepted the amendment to the motion, which passed unanimously.** Glenn suggested that Julia call Ralph.
- 7) Robin Reilly (Windsor Minerals) – Robin said bid packages are scheduled to go out this week for work on the Act 250-approved reclamation plan. Robin listed the permits that are in place for this multi-year project. Robin said the pond reclamation should be completed next year and then they will have a year to monitor the discharge. If the discharge is minimal, they will be able to take out the two remaining stormwater ponds. Robin said the project will reconnect deeryards. Robin said the entire parcel is about 160 acres and the project involves about 60 acres. Robin said in considering how the reclamation might benefit the town, one issue is that there's no access, which would be required prior to the sale or donation of the property. Currently, Robin said, there is only a construction easement. Robin added that the Fish and Wildlife Department would have to approve the location of any trails on the property and they are not in favor of any motorized access. Glenn said the town is very interested in talking about how this

property might benefit the town. Robin offered to approach Act 250 about an initial review of the property as a recreational area. Glenn encouraged her to proceed. Robin offered to bring in maps of the project. The Selectboard said they would love to see them. Robin said the plan is to keep the pond areas as unforested open space. Tom asked if the gate is still present and if it is accessible by the fire department. Robin said if there were a fire, the fire department would have to go through the old mill parking lot, but the bridge is being maintained and the road is in good shape. Jim said the fire department has the keys to the gate. Bruce asked who, from Fish & Wildlife, reviewed the plan. Robin said she thinks it was reviewed by Chris Burnier. Bruce asked Robin if she would object to the town approaching Chris to talk about feasibility. Robin said she would not object and offered to fax a copy of the forest management plan. Glenn said that would be great.

- 8) Status of revisions to zoning regulations – Hal gave the Selectboard a copy of the Planning Commission’s schedule and said the PC is trying to stick to the schedule. Hal said some of the issues, such as accessory dwellings, ridgelines, and fences, have been discussed at length. Bruce asked if there is an edited version available. Martha said she will send the Selectboard what she has so far. Mike said he wants to be sure that the highway department is not prevented from doing projects by buffer zone regulations. Tom asked if the PC is planning to meet with the Selectboard prior to holding a public hearing. Hal said the Selectboard’s input would be helpful. Glenn said the Selectboard understands Mike’s concerns and will address them. Martha said she has checked with some other towns that consider bridges an essential service and don’t require a local zoning permit to replace them. Martha said she has also suggested to the Planning Commission that they address this issue in their revision of the bylaws. Bruce and Glenn agreed that the bylaws need to be clarified. Tom said West Windsor should not use language from other towns. Hal explained how the PC uses language from other towns. Tom asked if the ridgeline language would be specific to West Windsor. Hal said yes. Jim said the town also needs to be able to put emergency communications equipment in place without delays due to permitting requirements. Glenn agreed. Tom said the language should be understandable to the average person without hiring an attorney. Hal said the PC is trying to keep the regulations simple and clear. Tom said he thinks the bylaws should indicate why they exist (e.g. public safety). Hal said the reason behind many of our local bylaws is state statute because Vermont is a Dillon’s Rule state. Karen Corkum said her application for a sign for Brown’s Tavern was denied because Orange Lake doesn’t own the land where the sign would be placed. Martha said Vermont does not allow any off-premise signs. Jim said the state put a sign on property owned by the store. Glenn said it sounds like they’re in violation. Tom asked if there is a difference between permanent and temporary signs. Tom said sandwich board signs are allowed for a specific number of days. Martha said she didn’t think Karen was interested in only putting the sign out for a few days. Karen said they want to advertise holiday weekends. Martha said the application did not indicate that it was a temporary sign for holiday weekends. Martha said West Windsor’s bylaws exempt activities “that do not exceed three (3) consecutive days, nor more than twelve (12) total days in any calendar year.” Glenn said the PC is working on the deficiencies in the zoning regulations.
- 9) Status/action on ancient roads – Glenn read an email from Ted Siegler. Tom said he would like clarification on the specific roads in question. Glenn said he would ask for clarification for the next meeting. Bruce said roads that are not on the map by 2015 are

not roads. Tom said we're not looking for any more ancient roads. Bruce and Glenn agreed.

- 10) Town Constable/Delinquent Tax Collector's Report – Ralph Johnson was not present. Glenn said the tax sale for the condominiums at the Resort will be scheduled for late June or early July.
- 11) Law Enforcement – Glenn said he attended a meeting with Hartland, Weathersfield, Windsor and the Regional Planning Commission (RPC) on April 25th to discuss the possibility of forming a regional police force. Glenn said the meeting was positive and the group agreed to meet again within 30 days.
- 12) Highway Foreman's Report – Mike said the culvert for the Bicentennial trail road has been reinstalled and the road has been graded. Mike said someone has to figure out who's going to pay to put gravel up there. Mike said the body is being put on the new truck. Mike asked about the bill for the new lights at the shop. Glenn said the Selectboard has to research the bill and the meeting minutes to see how they agreed to allocate it. Mike said the grader has a serious motor problem and will be out of commission for at least a week. Mike said the band rail has been installed. Mike said Pike Industries will start paving next week.
- 13) Better Backroads certification document – **Bruce made a motion to authorize Glenn to sign the document when the town receives its state stream alteration permit. Tom seconded the motion, which passed unanimously.**
- 14) Stream alteration permit status – Glenn said he is meeting with Todd Menees, Mike Spackman, and Daniels Construction tomorrow morning. Glenn said he also needs to get the documentation for the culvert at the end of Bryant Road. Mike and Glenn agreed to ask Dan Lesnick to come to the meeting. Tom asked that Gary Burke's equipment rates be forwarded to Mike and Jim.
- 15) Status of recreational trail concept – Glenn said Tii McLane has been asked to evaluate the area within the town forest where the trail network is located first. Glenn said he has a number of items to discuss with the Town Forest Committee at their meeting next week. Glenn said he has a meeting on Thursday with the Resort's attorney to discuss a licensing agreement for use of their property. Glenn said he is also sending information to Ron Juneman at Orange Lake. Glenn said some trail work on private lots within the Resort is starting this week. Glenn said he would also like the Selectboard to schedule a public meeting with the Vermont Mountain Bike Association. Tom asked if the licensing agreement is just to allow the creation and maintenance of a recreational trail. Glenn said yes. Tom said he would like to talk to Matt Birmingham about a general agreement that the town and the landowner could sign allowing the town to maintain a recreational trail, without specifying its exact location. Glenn agreed that he would like to have a general trail licensing agreement that can be used in more than one situation. Glenn said Vermont's limited liability law covers the landowner and Sports Trails of the Ascutney Basin (STAB) also carries a liability insurance policy. The Selectboard agreed to ask Matt about insurance issues. The Selectboard agreed to hold a public information meeting on mountain bike trail expansion on Monday, May 23rd at 7:00 PM. Glenn said STAB would like to have a kick-off event around July 1st. Tom asked what days the trails would be available for public use. Bruce said the license agreement would have to be good for a specific time period. Bruce and Tom said they don't have a problem with the July 1st date

- as long as our ducks are in a row. Glenn noted that STAB has created an ad hoc committee with members from West Windsor, Windsor and Weathersfield.
- 16) Wastewater feasibility study – Glenn said 50% of the questionnaires have been returned and a meeting will be scheduled at the end of this month to review the data.
 - 17) Upcoming meeting with Windsor officials re: utilities – Glenn said a meeting is scheduled for Thursday to discuss a larger sewer district rather than a fire district.
 - 18) Mile Long Field update – Glenn said pledges to the Friends of Mile Long Field are at approximately \$95,000. The Selectboard discussed the information that will be presented at the Special Town Meeting tomorrow night.
 - 19) Approve Minutes - April 5th: **Tom made a motion to approve the minutes of April 5th as written. Bruce seconded the motion, which passed unanimously.** April 11th (afternoon): **Tom made a motion to approve the minutes of the afternoon of April 11th as written. Bruce seconded the motion, which passed unanimously.** Tom noted that the minutes should specify Trevor Starr's title. April 11th (evening): **Tom made a motion to approve the minutes of the evening of April 11th as written. Bruce seconded the motion, which passed unanimously.** April 14th: **Bruce made a motion to approve the minutes of April 14th as written. Glenn seconded the motion, which passed unanimously.** April 19th: **Tom made a motion to approve the minutes of April 19th as amended. Bruce seconded the motion, which passed unanimously.**
 - 20) Other Business – Bowers Road: Tom said he got an estimate of \$4,500 from Dan Lesnick on the work involved in cleaning up Bowers Road, which he will give to Martha. Deed restrictions on the Town Forest: Tom said he researched it and there are no restrictions. Pump house culvert: Tom said it's the Resort's responsibility, under Act 250, to maintain that culvert. Glenn said he will approach the Resort owners about that. Jim Kenyon said Mountain's Edge and Mountainside should also be fixed. Glenn said that will be addressed on Thursday when he talks to the Resort's representative about the licensing agreement. Glenn said he discussed the breaks in the pipe with them in January and they agreed to address it this spring.
 - 21) Executive Session: Pending litigation and personnel matters - **Glenn made a motion to go into Executive Session. Bruce seconded the motion, which passed unanimously.** Following discussion, **Tom made a motion to come out of Executive Session. Bruce seconded the motion, which passed unanimously.** No action was taken.
 - 22) Adjourn – **Glenn made a motion to adjourn at 8:23 PM. Bruce seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison