

MONKTON SELECTBOARD MEETING
MINUTES
Tuesday June 28, 2022
(Approved 7/12/22)

The meeting was called to order by Stephen Pilcher at 7:03 pm.

Members in attendance: Stephen Pilcher (chair), Paul Low, Bill Martin, John McNerney

Members absent: Marikate Kelley

Others in attendance: Jessica Demeritt (recording secretary), Ivor Hughes, Jaime Schulte, Renee McGuinness, Ann Miller, Brian Morgan, Laura Farrell, Sean Riley, John Levine, Shane Lawrence, (the meeting was disrupted by "Zoom bombers")

ANNOUNCEMENTS

S. Pilcher thanked P. Low for helping with the Town Hall sign. P. Low noted it was a team effort and that B. Martin donated the sign.

The Select Board received two letters from citizens concerned about "first cut" in the zoning regulations. S. Pilcher read a letter from P. Norris.

The Select Board got a note that there is a concern about the condition of Bennett Road.

REGULAR BUSINESS:

APPROVE MINUTES

B. Martin moved to approve the minutes as written. Seconded by P. Low. All voted in favor.

REVIEW AND APPROVE CHECK WARRANTS

J. McNerney moved to approve PR 20617 in the amount of \$9,733.56. P. Low seconded. All voted in favor.

B. Martin moved to approve AP 20621 in the amount of \$70,449.04. P. Low seconded. All voted in favor.

REVIEW AND APPROVE OVERWEIGHT PERMITS, ETC.

The following overweight permits were reviewed and approved:
EB CAMPBELL FOREST LAND MANAGEMENT LLC
GOODRO LUMBER CO.

PUBLIC COMMENT

J. Demeritt asked what the town policy was regarding beaver control. S. Pilcher said the highway department handles beavers. A number of people voiced concerns about trapping beavers. S. Lawrence has been working with the VT Fish and Wildlife Department. The question is whether to trap the beavers or use mechanical means to manage the issue. P. Low was interested in the Beaver Deceiver. Shane said we have some sites where a Beaver Deceiver will not work. Shane said they did not work on the beaver near the Ferrisburg town line on Hollow Road.

R. McGuinness stated her concerns regarding Proposal 5, Article 22, a constitutional amendment regarding personal reproductive liberty. She would like people to understand what she thinks is lacking from the amendment when they vote in November.

L. Farrell asked who is responsible for oversight of the zoning administrator. She asked about penalties for breaking zoning regulations. S. Pilcher said there is a section called zoning violations. Also, the town can deny a certificate of occupancy, and can involve law enforcement. The Select Board recounted some instances of enforcement.

A. Miller asked about the zoning administrator and who oversees that work. S. Pilcher answered that the Select Board hires the zoning administrator. She asked about conditional use on building on conserved land. S. Pilcher said that the DRB would make that decision. A. Miller said she was unable to find DRB minutes regarding a decision made on conditional use on land nearby. She would like to see more transparency. S. Pilcher said that the area of concern has had construction stopped until the matter is resolved. A. Miller asked what the transparency was about the process of the zoning administrator. S. Pilcher noted that he was admonished by the DRB after trying to help with the situation. He suggested trusting the work of the zoning administrator. J. McNerney acknowledged that being told that the concern would be addressed in a few days would be alarming when the work which was potentially violating the regulations was ongoing. He noted that the ZA position is part time, and they will not always be able to respond immediately. J. Schulte said perhaps there could be a second or third tier of response for those situations.

NEW BUSINESS:

ROAD FOREMAN REPORT

S. Lawrence said the Mountain Road culvert is going to get a plank bridge to replace the temporary culvert with an estimate of \$649,000. There was discussion about what amount the town would pay. North Pond Road needs to have the temporary culvert replaced by September 2023. A portion of Rotax Road is getting ditched while topping the road 6 inches. Bennett Road will receive work this year. After Rotax Road there will be asphalt work on Hollow Road. There will be some grader instruction when an instructor is available. A

Hydrologic study is needed for Church Road prior to replacing that culvert. S. Lawrence noted the beaver dam on Church road gets rebuilt as quickly as it gets pulled out. The road crew is working on the shoulder on Parks-Hurlburt Road. Davis Road has washout issues near the asphalt that will be addressed. A pickup truck cannot be ordered through the state at this time. P. Low asked about doing a private sale. S. Lawrence said a new plow truck needs to be ordered because of a long lead time. The 2015 truck is in good enough shape to trade in and get money for it. A new plow truck has a cost of \$246,000. This would go before voters in 2023. The parking signs for Raven's Ridge need to be reimbursed and installed. Other road signs are being put up. There is budget money for an electronic speed sign and there was discussion about installing it on Silver Street. S. Lawrence will be doing research on the best electronic speed sign. S. Pilcher noted that the signs read the speed and record the speed. R. McGuinness mentioned some speeding and being passed on the Vergennes Road. S. Pilcher noted that Monkton would like to get someone on the Addison County Regional Planning Commission as W.S. Harper will be stepping down. We could also use someone on their Transportation Advisory Committee. R. McGuinness was concerned about getting some trees cleaned up which were taken down in the right of way on Rotax Road near her house. B. Martin commented on visibility on Hardscrabble Road. S. Pilcher asked about potholes on some asphalt roads. S. Pilcher thanked S. Lawrence and said the road crew is doing a lot of work.

ARPA FUNDS REQUEST - MAPPING PROJECT

A. Miller sent a letter to the Select Board on behalf of ANAC, the Conservation Commission and the Planning Commission in support of the mapping project. She said that mapping will help the town with many areas. S. Pilcher asked what kind of maps. J. Schulte said the maps need to be well done, accurate, professional with all factors considered. Monkton's current mapping is outdated. Act 171 expects towns to identify existing forest blocks and connections for climate and wildlife and plants and clean water. The towns need to state what protections it wants. Quality mapping will reduce conflicts by better defining which areas are a major concern and which can support development without undue adverse effects. This mapping work has been done for other towns: connections, forest blocks, water features, riparian areas, species, habitat, endangered species. The town would work with contractors about what would make sense. The maps would be based on actual on-the-ground observations by experienced professionals. I. Hughes said the request fills a hole in the current town plan: where are the forest blocks and connectors. The Monkton Planning Commission would like to get maps that would identify wildlife corridors, forest blocks, and connectivity. P. Low asked if other communities had done the mapping and if the selectboard could see the results. L. Farrell said South Burlington has done the maps and it is online. L. Farrell said Monkton has a lot of connected habitat. She has been in contact with a company which has done mapping work for 20 towns, and current delivery dates would be in 2023-2024. There is a \$10,000 donation if the decision is made by the end of June to move

ahead with this project. Act 171 was passed in 2017. J. Schulte thought the fastest compliance could happen in Monkton was 2025, 30 months. S. Pilcher asked how long it would take to create the request for proposal. J. Schulte answered about a month. B. Martin asked how much ARPA funds have been distributed. S. Pilcher said about \$70,000. B. Martin asked if there were grants available for this work? L. Farrell was concerned about delaying the work. R. McGuinness asked about the maps. L. Farrell answered that the maps would be living maps that could be changed as new areas were defined. And the maps would have a gatekeeper like the ACRPC. R. McGuinness asked if some of this info is already available? L. Farrell said the state's maps are very coarse scale that is outdated -from 2006 -, and in most cases, the information has not been verified on the ground. A map vendor would go over a finescale map. The level of detail would be helpful for development and protections. **B. Martin moved to approve \$20,000 ARPA funds maximum for mapping as long as the donor contributes \$10,000. J. McNerney seconded. The vote passed 3-0-1. S. Pilcher abstained.**

APPOINTMENTS - LISTER

Kathy Quesnel has been working with the listers for a while, and the current listers think she would be a good fit. **B. Martin moved to approve Kathy Quesnel for Lister with a term expiring March 2024. J. McNerney seconded. All voted in favor.**

CURB CUT - MAPLE LANE

S. Pilcher said a member of the selectboard and the road foreman need to take a look. P. Low will take S. Lawrence to look at it. There was discussion about possible concerns.

Orb Weaver Farm needs a curb cut. J. McNerney offered to take a look with our Road Foreman.

UPD DISCUSSION AND SCHEDULE HEARING

S. Pilcher said there is no rush because the deadline has already passed to be on the ballots for the August primary vote. B. Martin said he was willing to come in for a special meeting to address this issue, July 14 possibly.

S. Pilcher drafted a change to the Ridgeline overlay district and read those changes aloud. J. McNerney had a concern about the measuring of distance. L. Farrell was concerned about conditional use without an updated map. She suggested leaving this as building prohibited until the mapping was complete and our Town Plan and UPD language are updated to reflect that. S. Pilcher said the lawyer advised removing conditional use could result in a lawsuit over a "taking". J. Schulte asked if we have enough information to make good decisions about conditional use. He asked how much to relax the language from no use to conditional use. L. Farrell added that there is still investigation into "taking". J. McNerney said the concept that Waitsfield used for limited development above 1700' seemed to have passed legal tests and had just a few differences in

restrictions from our current language. There was discussion about ridgelines. S. Pilcher invited people to bring any new language to the special meeting.

TOWN ADMINISTRATOR JOB DESCRIPTION / PAY RATE

S. Pilcher said if all approve of the job description, it could be advertised. **B. Martin moved to approve the job description, with pay, and hours as approved at Town Meeting of the town administrator position. J. McNerney seconded. All voted in favor.**

LOWER PARKING LOT AT TOWN OFFICE

S. Pilcher said he would ask Otter Creek Engineering to take a look. Rocks, curb, asphalt; there are a lot of things going on with the slope, observed P. Low.

FACILITIES USE REQUEST

none

OLD BUSINESS:

SALVAGE YARDS IN MONKTON

S. Pilcher said one property should be cleaned out by the fall.

1859 TOWN HALL STATUS

S. Pilcher said K. Farrell is working on getting some grants.

ARPA FUNDS STATUS / PROCESS

R. McGuinness said Monkton has 670 declared homesteads.

SIGN

The new sign at the Monkton Town Offices has been installed.

OTHER BUSINESS:

S. Riley asked if Monkton had a noise ordinance. Someone is using a generator on Monkton Pond. It is creating a lot of noise and affecting the environment. The state police have been out, and without a town ordinance, there is nothing to enforce.

The next meeting will be on Tuesday, July 12, 2022 at 7pm.

B. Martin moved to adjourn the meeting at 9:42pm. All voted in favor.

These minutes are respectfully submitted by Jessica Demeritt.