

MONKTON SELECTBOARD MEETING
MINUTES
Monday, August 8, 2022
(Approved 8/23/22)

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

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

Members absent: none

Others in attendance: Jessica Demeritt (recording secretary), LuAnne Rotax, Kim Frigault, Debra Sprague, Ivor Hughes, Ann Miller, Laura Farrell, Jaime Schulte

ANNOUNCEMENTS

The Select Board received a number of emails regarding the UPD and the ridgeline district.

REGULAR BUSINESS:

APPROVE MINUTES

B. Martin to approve the minutes of July 26, 2022 as written. Seconded by P. Low. All voted in favor.

REVIEW AND APPROVE CHECK WARRANTS

P. Low moved to approve PR 20801 in the amount of \$11,439.71. Seconded by B. Martin. All voted in favor.

REVIEW AND APPROVE OVERWEIGHT PERMITS, ETC.

none

PUBLIC COMMENT

K. Frigault lives on Rotax Road and there are dirt bikes and motocross activities across the street from her house. She is speaking for a group of people and is not sure how to proceed with a noise complaint. The motorized bikes are monopolizing outside time 5-6 hours every Saturday and Sunday and limiting outside enjoyment. When she attempted to speak with the neighbors about this, the door was shut in her face. She has recorded decibel levels of 80 decibels (over the reasonable sound limit) at the property line. S. Pilcher is not sure if the zoning administrator has had a chance to make contact. He would be able to write a zoning violation.. P. Low said a reasonable schedule was an issue in another noise ordinance violation. K. Frigault encouraged Monkton to create a clearly defined noise ordinance. She said neighbors are respectful, and she

thinks a schedule would allow everyone to enjoy their outdoor time. L. Rotax asked whose problem is this? S. Pilcher suggested calling the Addison County Sheriff regarding the state statute. Starksboro and Weathersfield have well crafted noise ordinances if the SB decided to draft a noise ordinance. In Monkton, in the UPD, under performance standards, is guidance regarding noise as a nuisance.

NEW BUSINESS:

SET TAX RATE

S. Pilcher said the tax rate is based on the results of town meeting day and when the grand list gets finalized. **J. McNerney moved to set the 2022 tax rate at .4467 cents. B. Martin seconded. All voted in favor.**

STINE ORCHARD LIQUOR LICENSE

S. Pilcher has two liquor license requests from the Stine orchard which was previously the Boyer's Orchard on Monkton Road. **M. Kelley moved to approve application for a liquor license #7505-001-CARQ for the Stine orchard 9/8-10/27, Thursdays, from 2-8pm. J. McNerney seconded.** J. McNerney wondered if there should be a provision that this is not approval for concerts since that is a separate issue and needs to comply with applicable noise regulations. It was clarified that this was approval for a liquor license. **The vote passed 4-0-1. B. Martin abstained. M. Kelley moved to approve liquor license #7505-001-CARQ for the Stine Orchard for 9/10-10/29, Saturdays, from 11-4. J. McNerney seconded. The vote passed 4-0-1. B. Martin abstained.**

BORO HILL CURB CUT

P. Low said the first curb cut that was reviewed was not on the owner's property. There is a complicated situation with multiple properties. P. Low noted that there may be sight line issues if the curb cut is on the owner's property. He will continue to work with S. Lawrence to see if a solution is possible. There is also some concern about driveway standards, and there may be an issue with water being dumped onto the road.

J. McNerney said Orb Weaver Farm at 3406 Lime Kiln Rd had a curb cut request from late June and asked what happened to it. P. Low said he would follow up with the road foreman.

HIGHWAY TRUCK FINANCING

S. Pilcher said the voters approved an amount for a truck, plow, sander, not to exceed \$46,799. The foreman has taken possession of a truck that, with a plow and sander, will exceed that amount. P. Low asked if the road foreman could work on his budget to find the money. **B. Martin moved to approve the**

purchase of the truck, \$40,400, on a five year loan. Seconded by P. Low. All voted in favor.

REVIEW DRAFT MAPPING RFP

The Agricultural and Natural Areas Committee and the Conservation Committee allowed the Select Board to take a look at the request for proposals. S. Pilcher said Monkton has two maps that are interactive. He mentioned the need to be vague about the locations of some rare or threatened species. L. Farrell said there is a vague circle around sensitive species, but there is nothing in the RFP about it. M. Kelley asked what the time frame was. L. Farrell said she hoped it would be started this fall to be completed by the end of 2023. When the vendor provides the maps of what they find, the town would have to approve it or ask for adjustments. It would be considered an update to the town plan. S. Pilcher said updating the zoning regs every two years is not sustainable. I. Hughes said some of the updates are to keep up with the laws, including Act 171. He said if the town has to comply with the law to update the UPD the MPC sometimes bundles in other issues. L. Farrell said Addison County Regional Planning Commission is willing to be a gatekeeper for the map. S. Pilcher noted that we should keep this date with our existing data on the towns GIS page. J. McNerney asked for confirmation that the RFP specified the town would own the data and get the shape files – this was confirmed.

UPD REVIEW / SCHEDULE

The Select Board needs to hold a hearing by the end of August 2022 on proposed changes to the UPD. The 6/19/2022 version of the Universal Planning Document was reviewed. M. Kelley began with definitions. There was discussion about whether there should be conditional use on the ridgeline overlay district. Is the rule too strict? The ridgeline overlay district is guided by the zoning district map. L. Farrell said Monkton has a lot of regionally important habitat in the ridgeline district. Allowing incursion into those areas before mapping in accordance with Act 171 would fragment those areas. S. Pilcher asked if there should be conditional use in the ridgeline district. Waitsfield clearly defined conditional use. What would the Monkton DRB define as conditional use? An effort was made to list conditional uses specifically. M. Kelley voiced concerns about the proposed changes to uses in the ridgeline district. General performance standards were updated to include a limit to repetitive noises based on decibels and time. L. Farrell said there should be no later subdivision permitted on set-aside land within a PUD. If land is set aside, it should be set aside in perpetuity. **J. McNerney moved to approve the UPD as changed. P. Low seconded. The motion passed 3-1-0. M. Kelley opposed.** The Select Board will have a hearing on the proposed UPD changes which will be held Tuesday, August 30, 2022.

OLD BUSINESS:

none

OTHER BUSINESS:

The next meeting will be on Tuesday, August 23, 2022 at 7pm.

J. McNerney moved to adjourn the meeting at 10:37pm. All voted in favor.

These minutes were respectfully submitted by Jessica Demeritt.