

**TOWN OF SHELBURNE
SELECTBOARD
MINUTES OF MEETING
June 9, 2020**

***Meeting held via teleconference.**

MEMBERS PRESENT: Jerry Storey (Chair); Mike Ashooh, Mary Kehoe, Jaime Heins, Kate Lalley.
ADMINISTRATION: Lee Krohn, Town Manager; Peter Frankenburg, Finance Director; Dean Pierce, Planning Director; Chris Robinson, Water Quality Superintendent; Brit Aube, DRB Coordinator; Diana Vachon, Town Clerk.
OTHERS PRESENT: Members of the public participating in the meeting included Ken Albert, Rep. Jessica Brumsted, Roz Graham, Wayne Elliott, Deb Estabrook, Tom Tompkins, Bob Bouchard, Tom DiPietro, nricci.

1. CALL TO ORDER

Chair Jerry Storey called the teleconference meeting to order at 7 PM, explained the procedure to be followed, and held a roll call.

2. APPROVE AGENDA

MOTION by Mike Ashooh, **SECOND** by Mary Kehoe, to approve the agenda with the amendment to postpone the CSWD FY21 Budget presentation to 6/14/20. **VOTING** by roll call: unanimous (4-0) [Kate Lalley not present for vote]; motion carried.

3. MINUTES

May 26, 2020

MOTION by Mary Kehoe, **SECOND** by Mike Ashooh, to approve the minutes of 5/26/20 as presented. **VOTING** by roll call: unanimous (4-0) [Kate Lalley not present for vote]; motion carried.

4. PUBLIC COMMENT

There were no comments at this time from the public.

5. SELECTBOARD COMMENTS

- Jaime Heins thanked community members for the clean up on Green Up Day and spoke in agreement with the message from the protesters that there is room for improvement with racial justice.
- Jerry Storey credited the fast work of the town crew in removing the dam threatening Bay Road, and thanked volunteers and town staff for the help during the pandemic.

6. TOWN MANAGER REPORT/UPDATE

Lee Krohn reported:

- Thanks to Diane Vachon, Town Clerk, and Paul Goodrich, Highway Superintendent, for their work on Green Up Day.
- Town beach will open June 15, 2020. Certain summer camps will happen this summer.
- Sidewalk across from the town offices was repaired. We are getting a cost estimate for a crosswalk at Maple and Marsett.
- Library is open under certain limited circumstances.
- Town offices are open on a limited basis. The intent is to ramp up slowly, ideally by appointment only, and in accordance with COVID guidelines.
- The Selectboard has a full meeting schedule in June.
- Thanks are extended to all for helping to keep things safe in the community.

7. APPOINTMENT(S)

Planning Commission

The Selectboard interviewed Deb Estabrook for a position on the Planning Commission. Deb Estabrook mentioned her background in investment management and desire to contribute to the town.

MOTION by Jaime Heins, SECOND by Mary Kehoe, to appoint Deb Estabrook to the Planning Commission effective 6/9/20 and ending April 1, 2021. VOTING by roll call: unanimous (5-0); motion carried.

8. SHELBURNE ROAD CORRIDOR WASTEWATER CAPACITY ISSUES

Lee Krohn updated the Selectboard on cost sharing options for the additional wastewater capacity including a one-time fee and users paying back the bond for the infrastructure work. A bond vote could be held in November. Staff recommend that the engineering process continue now because there is not enough wastewater capacity for an area of town targeted in the town plan for development.

Chris Robinson, Water Quality Superintendent, stated the engineering work could be funded through the Wastewater Budget and economic development funds.

Diane Vachon, Town Clerk, stated a special election would be the town's cost.

Following further discussion, the Selectboard concurred with moving forward with engineering technical services and funding the \$20,000 cost out of the Wastewater Budget. Staff will explore the possibility of a town wide vote on a bond. The Selectboard will decide on the one-time wastewater mitigation fee amount at the next meeting. There was mention of the fire station and Healthy Living projects on Shelburne Road not being able to proceed without sewer capacity.

MOTION by Kate Lalley, SECOND by Mary Kehoe, to proceed utilizing \$20,000 out of the Wastewater Budget to initiate the required engineering and related studies with the expectation there will need to be a public bond vote in November on the total project and earlier if possible.

DISCUSSION:

- Wayne Elliott said the numbers can be refined as work proceeds. There may be funding opportunities for infrastructure.

VOTING by roll call: unanimous (5-0); motion carried.

9. PUBLIC HEARING: Stormwater Ordinance, Credit Manual, and Technical Standards

MOTION by Jaime Heins, SECOND by Mike Ashooh, to open the public hearing on the Stormwater Ordinance, Credit Manual, and Technical Standards. VOTING by roll call: unanimous (5-0); motion carried.

The public hearing was opened at 7:48 PM.

Lee Krohn reviewed the formation and work of the stormwater committee to develop the ordinance. There will be a two-tiered approach for single family residences with less than one acre of impervious surface and those with greater than one acre of impervious surface. Non-single-family structures will be assessed on the amount of impervious area. The stormwater fee will be phased in over three years, paying one third in the first year, two-thirds in the second year, and the full fee in the third year. The fee for a single-family residence is currently estimated at about \$75/year. The Credit Manual shows education, agriculture, and water quality improvement credits. Total maximum credit is 75%. Staff estimates the town will collect \$170,000 in fees in the first year.

Kate Lalley expressed concern about the impact on development if the stormwater fee becomes complicated and cumbersome, and suggested stormwater districts be formed that correlate to the form-based code overlay to allow offsetting. This should be offered to developers. Tom DiPietro, stormwater consultant, said the ordinance does not cover this situation, but could be considered going forward. Jaime Heins suggested an amendment could be done at a future date to address offsets. The Selectboard concurred.

There were no further comments.

MOTION by Kate Lalley, SECOND by Jaime Heins, to conclude the public hearing on the Stormwater Ordinance, Credit Manual, and Technical Standards. VOTING by roll call: unanimous (5-0); motion carried.

The public hearing was closed at 8:03 PM.

MOTION by Mary Kehoe, SECOND by Jaime Heins, to adopt the Stormwater Ordinance, Credit Manual, and Technical Standards as presented. VOTING by roll call: unanimous (5-0); motion carried.

10. INTERIM ZONING PROPOSAL

Lee Krohn explained the proposal to use interim zoning regulations to allow outdoor dining, retail, commercial, and professional service activities, and additional signage during the pandemic to help the businesses in town. Staff recommends a public hearing on the proposal be scheduled on June 30, 2020.

Mary Kehoe advised if a tent is used the business should be required to have insurance and general liability coverage for outdoor activities.

Ken Albert, business owner, said the existing regulations are too restrictive for outdoor dining and should be revised.

MOTION by Kate Lalley, SECOND by Mary Kehoe, to schedule a public hearing on the Interim Zoning proposal on 6/30/20. VOTING by roll call: unanimous (5-0); motion carried.

11. VLCT LOCAL GOVERNMENT RESOLUTION

Jaime Heins suggested Item #4 in the VLCT resolution on funding workers be modified to begin with "Depending on local needs".

MOTION by Mike Ashooh, SECOND by Jaime Heins, to support the VLCT local government resolution with the amendment to Item #4 to add at the start of the sentence: "Depending on local needs...". VOTING by roll call: unanimous (5-0); motion carried.

12. WASTEWATER ALLOCATION: 636 Falls Road Accessory Apartment

Mary Kehoe recused herself.

MOTION by Jaime Heins, SECOND by Kate Lalley, to approve wastewater allocation for 636 Falls Road in the amount of 140 gpd for an accessory apartment. VOTING by roll call: 4 ayes, one abstention (Mary Kehoe); motion carried.

13. RENEW EXISTING LOANS WITH UNION BANK

Finance Director, Peter Frankenburg, explained the \$35,000 is for a highway truck purchased in FY2018, and the \$90,000 loan covers a group of capital projects done in FY2018. Both loans are renewed for one year at an interest rate of 1.75%. The town will pay down more of the principal if cash flow is sufficient during the pandemic. The loan renewal process is the same process the town has followed in the past.

MOTION by Jaime Heins, SECOND by Kate Lalley, to approve a loan with Union Bank in the amount of \$35,000 at an interest rate of 1.75% for a term of one year for a highway truck purchased in FY2018. VOTING by roll call: unanimous (5-0); motion carried.

MOTION by Mary Kehoe, SECOND by Jaime Heins, to approve a loan with Union Bank in the amount of \$90,000 at an interest rate of 1.75% for a term of one year for a group of capital projects completed in FY2018. VOTING by roll call: unanimous (5-0); motion carried.

14. ADJOURNMENT

MOTION by Mary Kehoe, SECOND by Jaime Heins, to adjourn the meeting. VOTING by roll call: unanimous (5-0); motion carried.

The meeting was adjourned at 8:42 PM.

RScty by tape: MERiordan

For the Selectboard

Date