

Joint Meeting of the Waterbury Select and Village Trustees
September 16, 2013
Main Street Fire Station

Present: J. Grenier, Chair; C. Nordle, C. Viens, and R. Ellis, Select Board; P. H. Flanders, N. Howell-Sherman, and L. Sayah, Trustees; C. Rock, Zoning Administrator; S. Lotspeich, Community Planner; D. Winham, Economic Development Director; W. Shepeluk, Municipal Manager; A. Imhoff, ORCA Media; K. Fountain, Waterbury Record; and C. Lawrence, Town Clerk.

Public: M. K. Monley, J. Larkin, B. Minter, E. Coffey, L. Parks, H. Defeo, and J. Wulff.

The meeting was called to order at 7:00pm.

REVIEW AGENDA

W. Shepeluk asked that two additional items be added to the agenda: potential burning of a house on South Main Street by the Fire Department; and Main Street Project green infrastructure.

LANTERN PARADE

M. K. Monley was present to discuss the 4TH Annual River of Light Lantern Parade on December 7th. She described the parade route (Stowe to Main) and suggested that the parade end at Dac Rowe field this year. She is also considering using paper balloons that are released into the air, and possibly a bon fire. She will work with the Municipal Manager on the insurance and the police chief on the traffic issues. W. Shepeluk proposed to the Board that in the future, staff work with M. K. Monley on the event and bring the final recommendation to the Board. The Trustees were in agreement with the plan for the event. R. Ellis suggested that the fire part of the event would be at the discretion of the Fire Chief.

R. Ellis made a motion to approve holding the event on December 7th subject to any conditions that may be imposed by the fire chief. The motion was seconded by C. Nordle and passed by those present.

PROPOSED RFP FOR 51 SOUTH MAIN STREET

P. H. Flanders discussed the proposed RFP and the various options included in the proposal. Responses are requested by October 11th. The Trustees wanted to include the Select Board and determine if the Board has any interest in having the Town acquire the back portion of the lot to develop parking.

D. Winham feels that the parking is an asset that the Town cannot afford to miss out on. He also received an email from Ryan Smith about potentially leasing lots behind the former Ocha's restaurant. The history of the Elm Street Parking lot was discussed. That is the only parking lot that was developed by the Municipality and the Village has developed other lots. The Trustees feel that having municipal offices at 51 South Main Street is not the highest and best use of the property. S. Lotspeich updated the Board on two possible grant programs to assist with the development of parking in the designated downtown. D. Winham emphasized that when current vacant businesses fill up, hopefully within the next couple of years, parking will become more of an issue. C. Nordle asked if any money could be obtained from the Main Street project as this will affect parking within the Village.

J. Grenier stated that if the Town is interested in leasing or purchasing the property for parking, it would have to be brought before the voters at Town meeting, and asked if that was an acceptable timeframe.

C. Nordle asked for information on how other Towns structure their pay parking. D. Winham will gather this information. D. Winham suggested that the Board also consider the parking options behind the former Ocha's restaurant. J. Larkin expressed concern about lack of enforcement under the existing parking.

P. H. Flanders asked that the RFP be modified to indicate that the Village may reserve the right to keep the back half of the lot for parking. C. Viens asked about including the option for expansion of the parking lot (tiered parking garage). The Select Board is interested in taking a further look at municipal parking at 51 South Main Street.

MUNICIPAL PLAN

S. Lotspeich distributed copies of the Municipal Plan Draft #2 dated September 12th, 2013. S. Lotspeich discussed the changes between Draft #1 and #2. Changes fell into three categories: Planning Commission changes, changes from the CVRPC, and comments from the public hearing on September 12th. A couple of maps were added that are conceptual and illustrate where future housing might be located, which is a requirement of the CVRPC regional plan. A map has been added to show the designated downtown, also a requirement from the CVRPC. Written comments from the community survey will also be added.

P. H. Flanders asked how the historic district in the Village could be expanded. S. Lotspeich suggested seeking grant funding to do survey work for the historic district. The other avenue is to look at and expand the designated downtown. S. Lotspeich discussed the two designated growth centers: one within the Village limits and one in Waterbury Center. One goal of the plan is to look at the growth centers to see how they can be expanded.

R. Ellis asked about the hearing process. The Trustees and the Select Board can approve the plan by vote. The first public hearing must be held more than 30 days from when the plan was presented (Thursday September 12th). There are two public hearings required, which can be scheduled within a week of each other. The current plan expires October 29th. There may be a lapse between the expiration of the current plan and the approval of the new plan. The goal is to minimize the amount of time the plan is not valid.

R. Ellis made a motion to schedule the first public hearing on draft #2 of the Municipal Plan on October 21st at 6:30pm, and to schedule the second public hearing on November 4th at 6:30pm at the Main Street Fire Station. The motion was seconded by C. Viens and passed by those present.

N. Howell-Sherman made a like motion on behalf of the Trustees. The motion was seconded by L. Sayah and passed unanimously.

FLOOD PERMITTING AND REGULATIONS

C. Rock was present to give an update on the flood hazard permitting and regulations. The flood hazard regulations were amended following the flood in 2011. The interim regulations expire on December 22nd. The recommendation is to extend the interim regulations for one year while working on new regulations. There will need to be a public hearing to extend the interim regulations. C. Rock stated that the municipality needs to be regulating any man-made changes, track cost of improvements that people are making to their property, and track cumulative expenses over a three year period for substantial damage, to come into conformance with the regulations. Flood hazard permitting is a two-step process, the second step being the Certificate of Completion. She is looking into a permit tracking system.

C. Rock updated the Board on the status of the current permits. She reported that in 2011 there were 123 structures affected. Of the 109 properties in the flood plain, 55 permits have been issued to date. More properties are located in the flood plain now due to changes in the maps.

C. Nordle asked if she has given any thought on strategies to encourage remaining people to get permits, as it is important for the Town to remain in National Flood Insurance Program. C. Rock indicate that the challenge is that she is a part time zoning administrator, and has to give priority to walk-ins versus long term planning. R. Ellis suggested that Eva Loomis will be working from October through December and may be able to assist. Discussion was held about the impact of increases in flood insurance on property values, and the importance of educating the community on the program and consequences of not complying. Because the Town participates in the NFIP, the residents receive the benefits of the program.

R. Ellis made a motion to warn a hearing on re-adopting the interim flood hazard regulations for one year on October 21st at 7:30pm. The motion was seconded by C. Nordle and passed by those present. N. Howell-Sherman made a like motion on behalf of the Trustees. The motion was seconded by L. Sayah and passed unanimously.

LITTLE RIVER BIKE PATH STUDY CDBG-DR GRANT AGREEMENT

S. Lotspeich updated the Board on the Little River connector trail feasibility study. The Town match is \$3,000 of in kind services, and a grant agreement resolution needs to be signed by the Select Board. R. Ellis made a motion to approve the grant agreement resolution Form PM-1 for the Little River trail feasibility study and designate the Municipal Manager to sign the grant agreement. The motion was seconded by C. Nordle and passed by those present.

BURN PERMIT FOR STRUCTURE IN VILLAGE

Pilgrim Partnership owns a property on South Main Street and Steve Van Esen has asked the Fire Department to burn the structure. The burn would be a training opportunity for the Fire Department. The question came up at the Planning Commission hearing as to whether this is allowed under the zoning regulations. Town regulations do not require a permit and the normal demolition by-laws apply.

Concerns were expressed about a potential extension of the historic district in the designated downtown whereby this area may be eligible for historic designation. The structure is currently not in the designated downtown and is a residential structure. P. H. Flanders indicated that all hazardous material would have to be removed and the owner would have to get an air pollution permit from the State. Discussion was held about whether this type of situation is a public policy issue versus a permitting issue. R. Ellis suggested that if the Town is going to assist, the Town should get full assurance that there are no ACT 250 jurisdictional issues. She feels uncomfortable having the Town assist because it is in the residential area with historic buildings. The Municipal Manager will relay to the property owners that the Board has concerns, and that they will need to go through the Act 250 process.

MBC ITEMS

C. Nordle updated the Board on the RFP for a consultant to do a site feasibility analysis. There were four responses that were narrowed down to two finalist, and it was determined that more information was necessary. Letters were sent Weimann Lamphere and Maclay Architects and they provided supplemental responses on September 13th.

Weimann Lamphere submitted the lower priced proposal, and the Municipal Building Committee had ranked Maclay Architects the highest not taking price into consideration. P. H. Flanders was unclear with the Weimann proposal whether it included the five properties specified. The difference in proposal fees was \$18,000 versus \$27,000. P. Hack asked about the separate line item for civil engineering in the Maclay proposal and whether or not this was included in the Weimann proposal. The two RFP's were discussed. C. Nordle stated that Weimann Lamphere has more familiarity with the sights which might be why their proposal is lower. P. Hack stated that he disagrees with hiring a consultant at this point in time. C. Viens met with the Bell's and they have declined to move forward with their property on North Main Street. C. Viens will follow up with Allen Hunt this week to see if he is still interested.

R. Ellis made a motion to direct C. Nordle to negotiate a contract with Weimann Lamphere for a price not to exceed \$24,000, contingent on the number of sites and add-ons for civil and environmental engineering. The motion was seconded by C. Viens and passed by those present.

TOWN CLERK ITEMS

Victor Osinaga and Mark Drutman were present for a review of a liquor license at 3 Elm Street. V. Osinaga gave a description of the retail facility, which will sell beer, beer making supplies, and other retail items. They would like to be part of the growing beer tourism in the area. R. Ellis made a motion to approve the liquor license for Infinite Loop doing business as Craft Beer Cellar Waterbury. The motion was seconded by C. Nordle and passed by those present.

An errors and omissions letter dated August 26th on the Lyon property was reviewed. C. Nordle recused himself from the discussion. C. Viens made a motion to approve the letter. The motion was seconded by R. Ellis and passed by those present, with C. Nordle recusing himself.

R. Ellis made a motion to appoint the Municipal Manager as the voting delegate at the VLCT annual business meeting at Town Fair. The motion was seconded by C. Nordle and passed by those present.

C. Nordle made a motion to approve the minutes of the August 19th meeting. The motion was seconded by R. Ellis and passed by those present.

MANAGER'S ITEMS

Gristmill Properties is requesting that the passing lane in front of the Energy Mill be changed into a no passing zone. W. Shepeluk stated that a no passing determination is the jurisdiction of the State. After a brief discussion, the Board was in agreement with the request.

W. Shepeluk updated the Board on the current status of the FEMA Hazard Mitigation Grant Program Maintenance Agreement. R. Ellis made a motion to authorize the Manager to sign The HMGP Maintenance Agreement. The motion was seconded by C. Nordle and passed by those present.

GREEN INFRASTRUCTURE ON MAIN STREET

A discussion was held about incorporating potential green infrastructure in the Main Street project to deal with storm water runoff in a more environmentally constructive way.

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W. Shepeluk presented some information and options on ways to incorporate green infrastructure and reviewed some recommendations from Stantec. R. Ellis will explore further the rain garden option.

There being no further business, the meeting was adjourned at 10:15pm.

Respectfully submitted,

Carla Lawrence, Town Clerk

Approved on: October 7th, 2013