

Waterbury Select Board and Village Trustees  
April 4, 2016  
7:00 pm, 28 North Main St - Municipal Center  
Minutes

Present: D. Schneider, C. Viens, M. Frier, J. Brown, Select Board; P. H. Flanders, L. Sayah, N. Howell, Trustees; W. Shepeluk, Municipal Manager; S. Lotspeich, Community Planner; S. Blow, Waterbury Record; Anne Imhoff, ORCA Media; C. Nelson, Secretary.

Public: Zoe Gordon, Kathi Grace, Everett Coffey.

D. Schneider called the meeting of the Town Select Board to order at 7:01pm.

P. H. Flanders called the meeting of the Village Trustees to order at 7:01pm.

### **APPROVE AGENDA**

J. Brown asked that the Board add the consideration of a \$1,000 grant for tree planting to the agenda as it is time sensitive. No match is required. **M. Frier made a motion to add the discussion of the grant to the agenda, to be discussed after the North Hill Cell Tower update. The motion was seconded by C. Viens. A vote was held, and the motion passed unanimously.**

**C. Viens moved to approve the agenda as presented, with the addition of the discussion of the tree planting grant. J. Brown seconded the motion, a vote was held and the motion passed unanimously.**

### **CONSENT AGENDA ITEMS**

**C. Viens moved to approve the consent agenda items a. through f. as presented. J. Brown seconded the motion, a vote was held and the motion passed unanimously.**

### **PUBLIC COMMENT**

E. Coffey asked for permission to comment as each item arrives. D. Schneider approved, and stated there would be an opportunity for the public to comment on each agenda item as it was discussed, if necessary.

### **CONSIDER ISSUES CONCERNING FLOOD PLAIN HAZARD REGULATIONS**

P. H. Flanders provided information to the Boards regarding updated elevations and projected frequency of occurrence, which he stated further supported his belief that the new flood hazard regulations should require a base flood elevation plus 2ft for both new and existing construction, instead of the 3ft that had been previously proposed. S. Lotspeich joined the discussion and highlighted several areas in the draft regulations that would need to be changed if the Board decided on a BFE+2ft elevation requirement. M. Frier asked for clarification about why there was a distinction between elevation requirements for renovations and new construction, and S. Lotspeich responded that the Planning Commission felt that an accommodation needed to be made for owners of existing buildings, and also that they must be separated in the bylaws anyway as part of a federal requirement. S. Lotspeich stated that the federal regulation for flood plain development is to meet at least the current flood plain level, and the State regulation is currently at a BFE+2ft requirement. C. Viens stated concerns regarding how operationally a 3ft elevation requirement

would work, for example more materials are required to build the initial slab which could potentially raise the flood level should a flood occur.

Discussion continued on compensatory storage and how the BFE affects it. M. Frier spoke regarding other options that a developer can use to raise buildings. K. Grace spoke to reiterate that these are flood hazard regulations, not development regulations. Lower areas are not meant to be developed, they are meant to be used as a flood storage area. M. Frier responded that if you were to build in these areas, the permits would be used to regulate these and guarantee that once developed, those areas would still be able to store as much water, and that it is important to allow development in the flood plain as long as it is done safely. W. Shepeluk stated that the Town and Village cannot tell a property owner that they cannot build on their property, and instead are working to create regulations that make sense and also protect the surrounding area.

S. Lotspeich provided handouts regarding the draft variances. Criteria for State statute and Federal standards on variances and appeals were discussed. The Town and Village's current draft would be in conformance with the opinion received from ANR. If an application for variance is received by the Town or Village, the current requirement is that the State is allowed to review and comment - it would be beneficial for all parties to mirror the State's legal opinion to avoid any potential issues with compliance in the future. Shepeluk clarified that while helpful, the Town and Village boards do not need to be in exact agreement with certain areas of the bylaws. Frier spoke to advocate for the same set of regulations for Town and Village. Howell stated that a BFE+2ft regulation seems a fair compromise, based on facts presented as well as comments from the public and also stated that the State's experts seem comfortable with a BFE+2ft regulation.

**N. Sherman made a motion for the Village Trustees to adopt the amended flood regulations of Dec 14, 2015 which included requirements of 2ft above BFE for both existing and new construction, and which also included the alternate variance language in accordance with proposed language as provided by S. Lotspeich. L. Sayah seconded the motion, a vote was held and passed unanimously.**

C. Viens stated that he feels the proposal for only a BFE+2ft requirement seems shortsighted and that development in the floodplain may eventually cause issue, but is willing to move forward. **C. Viens moved to adopt the new flood regulations at 2ft above BFE, and to approve the revised variance language as presented by S. Lotspeich, in accordance with the draft approved by the Trustees. Frier seconded the motion.** J. Brown stated that she was opposed to the 2ft above BFE change, but would support the use of the 3ft above BFE. D. Schneider stated he is in agreement with C. Viens, and that this may not be the best long-term decision. C. Viens further stated that until State and Federal regulations begin to accommodate long term issues, the current draft was the best option to move forward. **A vote was held and M. Frier, C. Viens, D. Schneider voted yes, J. Brown voted no. The motion passed 3-1.**

**N. Howell moved to warn a special public hearing of the Trustees on Monday, April 25 at 6pm at 28 North Main Street. L. Sayah seconded the motion, and the motion passed unanimously.**

**M. Frier moved to warn a special public hearing of the Select Board, to be held as a joint meeting with the Trustees, on Monday, April 25 at 6pm at 28 North Main Street. J. Brown**

**seconded the motion, and the motion passed unanimously.** Once hearing is warned, any incoming applications for new or existing construction will be considered under the changes listed today.

K. Grace thanked the Boards for their work. E. Coffey commented his support for the same motions.

**N. Howell moved to adjourn the meeting of the Village Trustees at 8:17pm. L. Sayah seconded, and the motion passed unanimously.**

### **RAILROAD TRESTLE ART PROJECT**

W. Shepeluk presented a project being proposed by Revitalizing Waterbury and the Waterbury Rotary Club to pursue art installation options for the North Main Street train trestle bridge. Community feedback has commented that the trestle is an eyesore for those coming into the Village. Upon conversation with the railroad company, it was discovered that the bridge contains lead paint, and the cost to restore it safely would be immense. The new proposal is to hang a “welcome” sign or similar alternative from the bridge instead of repainting. Both organizations have been in contact with the railroad, and they seem to be interested in allowing this project to move forward, potentially with some assurance that Waterbury would maintain the installation. At this point the project is conceptual, and if the Select Board approves, the project committee can begin to collect more detailed information. D. Schneider asked if the restoration would include just the trestle or also the abutments. M. Frier likes the rustic feel of the existing bridge. W. Shepeluk stated that as presented, the project would be of no cost to the Town, but there may be some cost associated with maintenance in the future. **J. Brown moved to approve the project to move to the next step. M. Frier seconded the motion. C. Viens would like to ensure that public input be involved at some point. A vote was held, and passed unanimously.**

### **RECREATION DIRECTOR SEARCH COMMITTEE**

At a past meeting, the Board discussed the possibility of appointing a committee of 5-7 people to assist with the search process for a new Recreation Director. The position has been advertised in several newspapers and online on several job search sites. The proposed committee would help review resumes, participate in interview process, and give feedback for final hire, though W. Shepeluk would ultimately make a final hiring decision. The Select Board would determine the composition of the committee. W. Shepeluk asked that if approved, the Board consider appointing Beth Gilpin to the committee as an HR consult. Schneider suggested that in addition to the Manager and Ms. Gilpin, the board appoint 1 Select Board member, 1-2 Recreation Committee members, and possibly a Waterbury Municipal staff member to complete the committee. **J. Brown moved to appoint a search committee for the Recreation Director, to be filled by one Select Board member, two Recreation Committee members, and one Municipal Staff member, in addition to W. Shepeluk and B. Gilpin. M. Frier seconded the motion, a vote was held, and passed unanimously. D. Schneider will reach out to the Recreation Committee to discuss members.**

### **Manager’s Items**

W. Shepeluk discussed the budget. At the request of the Town voters, he added additional funding of \$6,875 in the Recreation Director’s salary. As the voters had also asked for removal of \$7,000 from the budget, he removed \$500 out of the Manager’s professional development line, \$4,245 out of parks line, and \$2,255 out of diesel fuel line item. **M. Frier moved to approve the adjustment**

**to the budget as recommended by the Manager. J. Brown seconded, a vote was held and the motion passed unanimously.**

Highway grants: W. Shepeluk discussed possible grant applications as attached. He asked the Board to authorize the Manager to sign and submit applications for grants as presented. **J. Brown moved to approve the Manager to sign grant applications as presented. M. Frier seconded the motion.** C. Viens asked for clarification on what the Shaw Mansion project would consist of, and W. Shepeluk will have to get more information and send to the Board if needed. C. Viens stated concerns that the final cost may be higher than presented based on the final project needs and may need adjusting. W. Shepeluk stated that he would provide more information and can amend the grant application as needed. **A vote was held, and passed unanimously.**

Sidewalk Plow: W. Shepeluk stated that it is becoming difficult to get parts for the current sidewalk plow and that it is budgeted to be traded in for a new machine. W. Shepeluk feels that at the cost available, a trade in is not financially the best option at this point. The Town of Milton may be interested in buying the current machine at higher than trade in value but for now, W. Shepeluk recommends that the current sidewalk plow be kept as is and the staff continue to make repairs as they can. The machine is still in okay shape, just difficult to get parts. If Milton is to move forward with an offer, it can be discussed further.

Paving Plan: No action at this time, and W. Shepeluk discussed what a formal paving plan would look like, operationally and financially. He will work with staff to come up with an alternative solution to the formal plan as presented by Stantec, which is not financially feasible at this time. C. Viens asked about a system in place to monitor annual degradation of paving projects, and stated that he believes town staff could manage this project without using outside consulting. W. Shepeluk stated that a formal paving plan would be beneficial to be engineered. Previous proposals had not been acted on because the Town Select Board was unwilling to approve the funding. A. Tuscany is limited in available time, and may not be able to prepare a new paving plan as he had done in the past. W. Shepeluk encouraged the Board to consider a similar proposal for future projects.

Window Shade Proposal: W. Shepeluk presented two proposals for shades for the Steele Community Room. He recommended the \$1,644 to have window shades installed as proposed by Window Pro of VT. **M. Frier moved to approve W. Shepeluk and staff to move forward with the purchase. J. Brown seconded the motion, and it passed unanimously.**

#### **NORTH HILL CELL TOWER UPDATE**

W. Shepeluk presented a letter from the Town to the Public Service Board regarding the proposed Verizon Cell Tower for North Hill. He asked that the board authorize the Manager to sign the letter, if approved by the attorney, with the understanding that some small changes may need to be made. He reported that there will be a site walk on April 5<sup>th</sup> at 8:30am, and a meeting to be held at ANR in the afternoon. Municipal staff will be in attendance and will report back. By consent, the Board agreed.

#### **TREE PLANTING GRANT**

J. Brown discussed a grant opportunity from Urban Community Forestry Program, which would include a \$1000, 100% reimbursable grant. The Waterbury Tree Committee proposed that if

awarded, they would use the grant to plant 2-3 trees in Waterbury Center Green. The application is due Friday, April 18. **M. Frier made a motion to authorize the Tree Committee to submit the application for the tree planting grant, as presented. C. Viens seconded the motion, and the motion passed unanimously.**

There being no further business, M. Frier moved to adjourn the meeting. J. Brown seconded, a vote was held and the meeting was unanimously adjourned at 9:23pm.

The next regular meeting is scheduled for Monday, April 18.

Respectfully submitted,

Courtney Nelson, Guest Secretary

Approved: April 18, 2016