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WAITSFIELD SELECTBOARD MEETING
JULY 13, 2020
DRAFT MINUTES

**Please note: Participants were generally remote, using Zoom.*

***This is a **draft** set of minutes to ensure compliance with the Open Meeting Law. Meeting minutes are not a transcript. Anyone wishing to watch the meeting can email the Town Administrator (townadmin@gmavt.net) for a link to access the recording.*

Members present: Paul Hartshorn, chair; Kellee Mazer, vice-chair; Darryl Forrest, Brian Shupe, and Jon Jamieson.

Others present: Fred Messer, Alice Peal, Jennifer Stella, Brian Voigt, Bob Cook, AnnMarie Harmon, Phil Huffman, and MRVTV.

Staff present: Trevor Lashua, Town Administrator; Annie Decker-Dell'Isola, Planning and Zoning Administrator.

The meeting was called to order at 6:30 p.m.

II.1. Additions/Deletions/Amendments.

None.

II.2. Public Forum.

Alice Peal provided an update on the Transportation Advisory Committee of the Mad River Valley Planning District, as well as bus service in the Valley.

II.3. Consider Adopting an Emergency Health Resolution Requiring Face Coverings.

Trevor provided an overview of the proposed resolution, noting that resolutions such as the one presented and ordinances were the two methods generally available to municipalities and recommended in guidance from VLCT among others. Most municipalities adopting mask mandates have done so through the resolution adoption process.

Darryl asked about enforceability, and whether or not that could realistically occur. He mentioned that he heard that not all businesses supported a mandate, even if they required masks.

Paul asked about the health impact of prolonged mask wearing.

Kellee asked if this was about a concern with the number of visitors to the Valley, and how or whether that fit with reported cases. There was discussion about the Department of Health's reporting. Fred Messer spoke of how the numbers were reported, and the use of ranges for the number of cases makes it hard to say exactly how many.

There was general discussion about the number of cases, and whether or not COVID was prevalent. The discussion also included the asymptomatic transmission of the virus, which can be prevented or slowed through the wearing of facial coverings.

47
48 Fred asked if the resolution was an emergency health order. Trevor explained that this was
49 resolution specifically authorized by executive order and emergency management statute, but
50 that in some respects the resolution could function like an emergency health order.
51
52 Fred relayed that he thought he had the ability to issue a mask mandate as an emergency health
53 order as Town Health Officer. Trevor said that the resolution is the model that most
54 municipalities have used to institute mask mandates.
55
56 Jon talked about how a mask mandate reflected the trending number of cases nationally, that
57 Vermont has been lucky because of its level of caution which is important to continue as a
58 practice. The number of visitors increases the level of potential exposure, and masks can help to
59 reduce risks. The mandate provides extra support to front-line workers in commercial
60 establishments.
61
62 The question came up about when the resolution would expire or be rolled back. There was
63 discussion of how to review, and when to extend or remove.
64
65 There was discussion of the generalized support of masks by members of the Chamber of
66 Commerce.
67
68 Alice Peal spoke about the potential boycott of businesses that don't comply with mask
69 mandates.
70
71 Brian S. spoke about the Valley's status as a tourist destination. It's getting worse throughout the
72 country, and it's better to stay ahead of the curve. He avoids places that don't require masks.
73 Brian S. said he supported the resolution. He said that studies he has seen don't show that there's
74 a health impact with facial coverings, particularly for shorter durations.
75
76 Kellee spoke about the use of masks, and the struggle between mandating versus recommending
77 them. She mentioned that the State is recommending, rather than requiring, which added to the
78 struggle with a local mandate.
79
80 Jennifer Stella spoke about her experience with how masks impact air and oxygen flow and
81 levels, along with her professional experiences. She recommended that masks are voluntary. She
82 also said there needs to be a plan to identify an end of the mandate, and the challenges of
83 enforcement.
84
85 *Jon moved to adopt the resolution as presented. Brian S. seconded.*
86
87 Trevor read the proposed resolution in full, following a request to do so.
88
89 Paul expressed his reservations with the mandate.
90
91 *The motion failed on a 2-3 vote.*
92

93 *The roll call vote, required by the Open Meeting Law, was as follows:*

94 *Jon and Brian S. voted yes*

95

96 *Paul, Darryl, and Kellee voted no.*

97

98 II.4. Discussion re the Proposed Changes to the Zoning Ordinance.

99 Annie Decker Dell’Isola joined the meeting. She provided an introduction, and an overview of
100 the process to date along with the current process point.

101

102 There are still some questions with the proposal, including compliance with Act 171. The act
103 requires consideration of and planning related to forest fragmentation and habitat corridors.

104

105 Trevor referenced the updated renderings, which show what is allowable currently in regulations
106 and two scenarios showing planned hamlet developments (PHDs). He clarified that all three
107 renderings are generic lots – there’s no specific property involved.

108

109 The capacity map shows areas that may allow PHDs throughout town, based on criteria such as
110 slope, wetlands, and others (five total natural features).

111

112 Annie spoke about the process related to setbacks, and how those would still need to fit the
113 general zone requirements, but the internal setbacks could be altered by the DRB to enable the
114 density required to allow a PHD to occur.

115

116 Trevor reminded the Board that the proposal also includes the allowance of duplexes in all zones,
117 with an accessory unit.

118

119 Annie and Trevor asked what questions or concerns remain for members of the Board and
120 Planning Commission.

121

122 Brian S. asked about how the fluvial erosion hazard areas are included or considered. He also
123 had a question about wetlands, given that all of them may not be mapped or mapped using
124 current data.

125

126 Brian S. asked how the prime agriculture soils would fit on the capacity map, with relation to
127 developable areas. He also asked that there be clarification of how density is considered and the
128 standards applied; the DRB is left with a fair amount of discretion.

129

130 Jon asked how this differs from the currently allowed planned unit development framework. The
131 difference looks like the focus on smaller homes with some level of density.

132

133 Paul asked about where and how septic concerns are addressed.

134

135 Brian V. said that there was consideration of prime agriculture soils. They weren’t included in
136 the capacity map, but there is significant overlap between the areas shown as possible PHD
137 locations and the location of those soils.

138

139 Brian S. and Brian V. discussed the density question.

140

141 AnnMarie clarified PHD lot sizes, and that 50% of the property must remain undeveloped. The
142 undeveloped portion doesn't include roads, but can include septic. The proposal does not include
143 Act 171, which may impact the capacity map; AnnMarie clarified that the capacity map is a tool
144 or guideline, to show the potential areas as a starting point.

145

146 Brian S. added that guidance and criteria for the DRB would be helpful as well as clarification of
147 density calculations.

148

149 Jon clarified that there are two PHD options: small homes on the densest lots and medium homes
150 on denser lots.

151

152 Jon asked about how mobile home parks or a second home development would fit. The second
153 home development may be allowable, but does present a challenge to the intent of PHDs which
154 is to create more housing options for year-round residents of an affordable or more affordable
155 nature.

156

157 Annie spoke to the requirement for slabs or foundations; a pre-fabricated home would be
158 allowable on a foundation.

159

160 Brian V. provided a brief review of the evolution of the proposal. It's a set of tools, he said, but
161 it's not the attempt to solve affordable housing issues in town. He added that the affordable
162 housing conversation should start with discussions of Irasville and infrastructure.

163

164 There was a brief discussion about permit conditions and covenants of ways to limit or prohibit
165 the use of homes in a PHD as short-term rentals and/or as second homes.

166

167 Brian S. asked about plans related to Act 171 and review of the past efforts related to elements of
168 it. AnnMarie stated that it is the Planning Commission's intent to look into it in greater detail;
169 Act 171 compliance became more notable during the effort to update the energy components of
170 the Town Plan. Both are required.

171

172 Alice spoke of the work of the Ridges to Rivers group.

173

174 Phil Huffman spoke about a desire to connect the Conservation Commission and Planning
175 Commission on Act 171 planning and other natural resource elements. He stated that the
176 Commission is available and willing to help in any way possible. There was discussion about a
177 forest and wildlife data set compiled at Valley-wide level a few years ago.

178

179 Annie and Trevor will work together to prepare a memo that lists remaining questions, and see if
180 that helps determine an action plan. There was also discussion about how the "clock" will run
181 out on the changes in the fall, in that if there's no action taken within a year the changes are
182 automatically deemed not approved.

183

184 There was clarification that the scenic roads requirements were not a prohibition on PHD
185 locations – a proposal would need to meet all applicable requirements related to the standards.
186

187 II.5. Consider Approving Weekend Trash Removal “Seasonal” Position.

188 Trevor presented the idea of hiring a trash removal seasonal, for up to six hours per week, to help
189 address concerns regarding garbage overflow at the covered bridge/Bridge Street/pocket park
190 area and the Lareau Swim Hole. This would augment the Monday and Thursday pick-ups
191 performed by the Road Department.
192

193 The FY20 budget’s earlier drafts included funding for a parks attendant, which would have
194 performed the trash removal services in addition to others (weed whacking, general stewardship,
195 etc.). The funding was removed, as the Board worked toward a budget number to present to
196 voters. Additional funds were incorporated into the Maintenance of Parks line the budget to
197 assist with trash, as well as maintenance at the pocket park. The proposal was estimated to cost
198 nearly \$1,300. The logistical challenge being worked out was related to disposal of removed
199 trash bags and other items.
200

201 The amount of household trash being deposited was noted as well.
202

203 The Board decided to look again at a more holistic approach for FY22, perhaps while partnering
204 with another organization in Town. Trevor referenced initial conversations with the Mad River
205 Path Association that could result in such a framework. The parks attendant idea is also scoped
206 out to a degree.
207

208 Darryl offered to provide volunteer trash monitoring and removal services through this summer
209 to address high-volume/high-utilization weekends.
210

211 II.6. FY20 Budget Status Report (pre-audit, end of fiscal year).

212 Trevor present the report from the Town Treasurer. The Town ended fiscal year 2020 in good
213 financial shape, having achieved fiscal stability and sustainability goals such as: the unassigned
214 fund balance target, a clean audit, debt service in the range set in policy, and good budgets and
215 capital budgets. Trevor reiterated that this is a pre-audit look; the auditors are due in early
216 August and a report expected in October or November.
217

218 The annual financial questionnaire required by the State was also enclosed, and needed to be
219 signed as “received” by the Board.
220

221 The Board thanked staff for their efforts related to the report and attainment of goals.
222

223 II.7. FY21 Selectboard Goals and Priorities.

224 This item was skipped over; see discussion during, “Selectboard roundtable” for more
225 information.
226

227 The Board had a copy of the FY20 goals and priorities, with notes on progress and/or
228 completion, in packets.
229

230 Item II.8. Minutes of 03/23, 04/06, and Town Meeting (04/27).
231 *Jon moved to approve the minutes for all three dates as presented. Kellee seconded. The motion*
232 *passed 5-0.*

233
234 II.9. Bills payable and Treasurer’s warrants.
235 A third Board member needs to sign at the Town Offices. Kellee offered to do so.

236
237 II.10. Selectboard roundtable.
238 Brian asked about the emerald ash borer item in the goals and priorities. Trevor spoke of
239 potential funding for the planning and inventory piece through the regional planning
240 commission. That would help determine the funding levels.

241
242 There was clarification that the draft Scrag Forest Management Plan was still with the
243 Conservation Commission, which is soliciting feedback. At some point, the Commission will
244 present the plan the Selectboard for review and approval.

245
246 Brian asked about the stormwater and MRGP compliance items in the goals and priorities.
247 Trevor spoke about the MRGP funding being available for grant matches or applicable projects.
248 The stormwater projects are pulled from the watershed/Valley-wide effort led by the Friends of
249 the Mad River to identify public and private priority projects. The swim hole, particularly the
250 parking lot and access to the river.

251
252 Brian asked about Brad Cook’s Wait House project. Follow up will be needed.

253
254 Jon reiterated his appreciation of the Town’s current financial condition, especially given the
255 State’s challenges now. He encouraged thoughtful spending moving forward. Kellee agreed.

256
257 Jon spoke about the dangers of jumping of the covered bridge roof, especially with low water
258 levels. He asked if the constable could start to appear and remind potential leapers that it’s
259 prohibited.

260
261 Darryl asked about the signs. One was ripped off the other day, and it was the final one in the
262 bridge sign stockpile.

263
264 II.8. Town Administrator’s Report.
265 Trevor said that the Board will likely need a special meeting in early August to set the tax rate,
266 given the current timing related to the grand list and the education tax rates. If so, all applicable
267 deadlines can be met for a regular billing cycle.

268
269 III.1. Correspondence.
270 There was brief discussion of the correspondence received. The Board agreed to invite the
271 resident concerned about Palmer Hill Road’s condition on the Class 4 section to a future meeting
272 to discuss.

273

274 There was a need to enter executive session to discuss the appointment or evaluation of a public
275 official. Trevor reminded the Board that this topic required only a motion to enter executive
276 session, and not also a motion finding that executive session was necessary.

277

278 *Darryl moved to enter executive session pursuant to 1 V.S.A. § 313 (a) (3), for the evaluation or*
279 *appointment of a public official. Jon seconded. The motion passed 5-0.*

280

281 *Jon moved to exit executive session. Kellee seconded. The motion passed 5-0.*

282

283 *Jon moved to approved the move of Annie Decker Dell'Isola from probationary status to full-*
284 *time employee of the Town of Waitsfield. Kellee seconded. The motion passed 5-0.*

285

286 *Darryl moved to adjourn. Jon seconded. The motion passed 5-0.*

287

288 Respectfully submitted,

289 Trevor M. Lashua

290 Town Administrator