

UNDERHILL SELECTBOARD MINUTES

Thursday, August 23, 2007

Steve Walkerman, Chair, Dan Steinbauer, Steve Owen, Rod Fuller, Town Highway Foreman, Sherri Morin, Town Clerk, Chris Murphy, Town Administrator

6:00 PM: Meeting Called to Order

- **Recreation Meeting:** The Board meets with Recreation Committee (RC) members Tom Lee, Beth Netelkos, and Mark Hale. The RC will have regular meetings, and elect officers. The RC organizational meeting will be on Thursday, August 30, 2007 at 5:00 PM. The Board discusses budgets and future projects with the RC.

6:15 PM: RC Interviews: The Board interviews and appoints Brian Bourgeois, 23 Butler Lane and Eric Gildemeister, 29 Range Road to the RC.

6:30PM: Brewster River Mountain Bike Club (BRMBC): Ryan Ochs, 30 Range Road and Bryan Lyster 23 Doon Road: The BRMBC meets with the Board to introduce their organization and to discuss their use of Town property for trail riding. Six years ago, the BRMBC became a chapter of the VT. Mountain Bike Association (VMBA). The VMBA was created in 1997 to promote responsible mountain biking. Currently, the BRMBC has trails in, and membership from Cambridge, Fletcher, Fairfax, and Underhill. Club membership is over 100 members currently. The BRMBC says it wants to promote responsible riding, and to be accountable, and to be responsible for trail maintenance. Anyone who belongs to the club can use "their" trails. The club has donated \$2,000.00 in the last year, \$1,000.00 for a group called Sprockids, young people who work with club members to do trail work and trail building, and another \$1,000.00 to Trailheads, a riding program dedicated to having a riding program in every town in the state. They also donate some labor and money to the Rawson barn project on Cilley Hill Road.

This year the club has put in over 1000 hours in trail work, mostly in Cambridge. There are now 2 miles of trails on the Tisberg property, for which they have permission from the Tisberg's. The BRMBC purports to have opened a dialogue with over 30 members of the Underhill community this year to secure permission for the use of their land. They would like permission and to work with someone in town to maintain trails on Town land off of New Road.

Steve Walkerman states that he agrees in theory with the BRMBC's objectives, but wants some more information from the club before granting any permissions. Steve opens the discussion for public comment. Ochs states that the BRMBC is here to talk to the Selectboard, not private landowners. Steve states that he wants to hear from the members of the public who are present so that they will get a chance to air their concerns. The meeting is opened up to public comment. Below is a brief summary of the comments:

Marcy Gibson, 50 New Road: Asks if there is a trail fee. (100.00 annual fee gets access to maps)

Peter Bennett 20 Edgemont Rd: Asks what the policy is on private land. (BRMBC states they get permission.)

Jeff and Angela Moulton 49 Highland Road and 49 Fuller Road states that no one from BRMBC has ever asked their permission, and that the bike club trespasses even though they have posted the land. Jeff states that he is not fundamentally opposed to mountain bike riding, he wants someone to ask permission, he wants information about the amount of use, and he doesn't want anyone cutting trees or moving trails without his permission. He asks if the club has ever considered paying for an easement.

Don Harmeyer, 310 Irish Settlement Road, a bike club member asks Jeff if he is "all about the money."

The Butler Family, 621 Irish Settlement speaks at various times, in general noting the lack of permission and lack of respect that bike members show towards property owners.

Chas Salmon, for the Northrop's, 414 Irish Settlement Road notes that his parents have never given permission to the bike club to ride on their land, and they are concerned about the tree cutting, trail use and wildlife habitat impacts of the club's activities.

Mark Hale, 598 Pleasant Valley Road: States that the club should be getting permission from the landowners.

Beth Netelkos, 295 Poker Hill Road: States that her family dirt bikes and they have an organization that will only use a trail once a year so that it can recover. She asks if BRMBC does something like that, and whether they are using chainsaws on people's property without permission. Ochs says no, they don't go on people's property without permission, that they are stewards of the trail.

Chuck Alexander 348 Irish Settlement Road states that he hasn't given permission to anyone to use the trail, but is very frustrated that wood is being cut on his property and his access by 4-wheeler to his own property to cut his own wood is blocked by BRMBC "trail maintenance". He says that he may not object to some activities on his land, but that no one has talked to him until very recently. He states that when he hunts on his property in the fall the bike club interferes with his activities.

Dave Demarest 111 Fuller Road expresses concern about club activities on his land as he uses his land for his business.

Steve Guay, 63 River Road owns the top of South Hill and states that he is really concerned about mountain bike use and wildlife habitat. He states that the Park has not been a good neighbor.

Mike and Patty Weisel 626 Irish Settlement Road takes issue with Steve's statements regarding the Park.

At the end of this long discussion, the Board tells Ochs that they will get back to them on their specific requests regarding Town land, and that they hope that the BRMBC will continue their outreach to landowners in Town, as judging by the discussion they had some work to do.

8:30 PM:

Comcast: Lisa Birmingham Nolan, New England Counsel and Wayne DesLauriers, Technical Operations Manager:

Lisa and Wayne meet with the Board to go over Comcast services in Town. The Town Hall receives free internet as does the school under the certificate of public good. Comcast is offering high-definition TV and bundling it all in a package offering video, voice, and data services for \$99.00/first year. Currently Comcast serves 800 homes in Underhill with 40 miles of cable plant in town. Currently there are no plans for more build-out in Underhill as under the Public Service Board agreement, Comcast is only obligated to provide services when a certain housing density is met for line extensions. If, however, a private pool of residents wanted service, they can contact Comcast and ask for a survey. If enough people commit, then under their "contribution in aid of construction" program, service can be delivered with Comcast picking up a certain amount of the cost, reducing the cost to consumers. There is a brief discussion about the cost of hooking up service to a home if the home is over 200' from the road (pole). Steve Walkerman states that under the proposed Fiber Optic system there will not be this additional cost. Lisa Birmingham is doubtful of this analysis and cautions that the work group does their due diligence to figure out the details before committing to anything. Birmingham states that if interested, Comcast can work up some figures to partner with the Town to complete a build out in Underhill for Comcast services. She notes that Comcast already has the infrastructure, and states that they have not gotten the amount of contracts that they thought they would in the areas of Town where service is available.

- **Bryan Davis: CCMPO** Bryan Davis meets with the Board to introduce himself. He was hired to work with small towns in Chittenden County to see what their needs are. Chris asks about a few different grant programs and upgrading the road classifications, Bryan will get back to her.
- **Minutes** for 8/9/07 are read and accepted.
- **Sidewalk Study:** Chris discusses with the Board the PC recommendations regarding the sidewalk study for Rte. 15 completed earlier this year. The PC recommends that instead of raised sidewalks multi-use sidewalks are installed. Bryan Davis will look into this and get back to Chris on the feasibility of this proposal.
- **Churchill Curb Cut Approval:** The Board reviews and approves a proposed new curb cut for Gil Churchill at 16 Orchard Terrace. approves it
- **Term Dates for PC and DRB:** The Board approves the following term dates for new PC and DRB members:
 - **Trevor Squirrel: 2011 (took Jan Devries PC position)**
 - **Carolyn Gregson: 2010 (took Nick Nowlan's PC position)**
 - **Matt Chapek: 2010 (took Dan Clayton's DRB position)**
 - **Penny Miller: 2010 (took Kathy Rupright's DRB pos)**
 - **Deb Shannon: 2008 (took Matt Chapek's DRB Alt Pos)**
 - **Kathy Rupright: 2008 (took Rich Heh's DRB Alt. pos.)**

- **Zoning Assistant Duties:** On a motion, the Board approves granting Kari Papebon, zoning assistant the right to issue building permits and write certificates of compliance in Chris Murphy's, ZA absence.
- **RPC Letter:** Chris reads a letter to the Board from the RPC relative to Draft Environmental Impact Statement for the Circ-Williston project.
- **Letters from Tom and Matt Morse, Mill Riverside Park:** Chris reads letters from the Morse's to the Board.
- **Peter Geise, Rte 15 Street Light Request:** Chris relates a request from Peter Geise for Board approval of a streetlight at the intersection of Brook Bend and Rte. 15. The Board denies the request.
- **Schedule** is reviewed, Chris will be on vacation on 9/6/07, the Board decides to cancel their meeting for that night, and they will meet again on 9/20/07.

10:15 PM: The Board Adjourns

Respectfully submitted by Chris Murphy

Read and Approved as written/as amended

Steve Walkerman, Chair