

**TOWN OF UNDERHILL
SELECTBOARD MEETING MINUTES
Underhill Town Hall
Tuesday, May 24, 2016, 6:00 p.m.**

Selectboard: Cliff Peterson, and Rick Heh

Town Staff: RaMona Shepard, Nate Sullivan and Brian Bigelow

Public: Ruth Miller (MMCTV), Linda Evans, Peter Mutolo, Shelby Evans, Andres Torizzo, Charlie Van Winkle, Pat Lamphere and Phil Jacobs

6:03 p.m. Call to order, adjustments to agenda. Meeting called to order by Chair. Notice made of inability to contact Selectboard member Kurt Johnson, who is out of town, on cell phone.

Two additions to the agenda:

Notice made of potential for no quorum on June 7. Consensus of Board was to cancel that meeting and hold a Special Meeting on June 6, 2016.

Chair read David Burke's email to staff of May 13, 2016 into the record, noting the contact may have been an improper communication concerning an application before the Board acting in their quasi-judicial capacity.

6:08 p.m. Public Comment Period. Linda Evans, State of Vermont Parks staff, asked about grading of the upper portion of Mountain Road. Evans will contact the Town when conditions warrant.

6:11 p.m. RaMona Shepard, Finance Director/Human Resources Manager.

Finance Director discussed the FYE 6/30/2016 budget and fund balance estimates. The Highway is estimated to be \$86,000 over budget primarily because of the Deane Road over run of \$127,000. The combined Highway and General budget is estimated to be \$15,000 favorable. The board deferred the decision on funding the resulting highway fund deficit until a June meeting.

There was a discussion of Kurt Johnson's proposed work for the interior of the Town Hall. After a general discussion of the issues and the expenditure classification, the board decided that no work would proceed at this time and the issue would be deferred to a June meeting to discuss with the full board.

Finance Director requested that the \$20,000 match that is to be donated by the Historical Society for work on the School House be in hand prior to any bills received for payment. Consensus of the Board was that Rick Heh would advise the Historical Society that the contract for work would be signed once a check from the Historical Society with its match was received by the Finance Director.

Review of the Town Administrator job description was postponed as the chair noted that no decision concerning any potential employee classification is necessary until December 1, 2016.

There was a discussion of the vacancy in the highway department left by the resignation of Jed Abair on May 19, 2016. The consensus of the board was that the current part time employees may be used on a full time basis in order to complete road projects and that the current job description and classified advertisement should be used for recruitment of a replacement. It was requested that the HR Manager to

begin advertising and recruitment with review and interviews to be conducted by the board and the Road Foreman.

Nate Sullivan advised the board that there is a need to replace a hydraulic piston on the 2013 Dump Truck with an estimated cost is \$3,500. Cliff Peterson moved that a maximum of \$3,500 be spent for the repair. Rick Heh seconded and the motion passed 2-0.

6:28 p.m. New Business

Eric Gildemeister re: Recreation Committee: Cliff Peterson moved to reappoint Eric Gildemeister to the Recreation Committee for a three year term expiring in 2019. Rick Heh seconded and the motion passed 2-0.

Pat Lamphere re: Town Health Officer: Selectboard and Pat Lamphere discussed his interest in serving as the Town Health Officer. Cliff Peterson moved to forward Pat Lamphere as the Selectboard's recommendation for appointment as Town Health Officer for the Town of Underhill. Rick Heh seconded and the motion passed 2-0.

6:37 p.m. Access Permit Applications: Goplen (PY002-0020) Cavanagh (LE099), Fullem (RA008), Jacobs (HR016), Roy (VT910)

6:38 p.m. Goplen (PY002-0020): Notice made that application is both for an amendment and preliminary access permit approval. Andres Torizzo, Shelby Evans and Peter Mutolo were sworn in. Andres Torizzo of Watershed Consulting Associates, LLC presented current proposal and responded to questions of the Selectboard regarding pre and post development drainage areas.

Cliff Peterson moved that the application for preliminary and amended approval be approved provided that improvements conform with the modifications proposed by Watershed Associates dated 11-18-15 overlaid on the as-built drawing prepared by others and in concert with Watershed Associates' "Post-Development Drainage Areas" map dated 08/14/2015. Rick Heh seconded and the motion passed 2-0.

Note made that an amended ANR Stormwater permit, DRB review and approval, followed by a return to the Selectboard for Final approval are the next steps.

7:22 p.m. Cavanaugh/LE099: No one in attendance to speak to the application. Cliff Peterson moved to continue hearing to June 6, 2016 meeting. Rick Heh seconded and the motion passed 2-0.

7:24 p.m. Fullem/RA008: Applicant had advised staff that he would not be able to attend due to an emergency. Application is for work within the right-of-way related to rebuilding an existing retaining wall approximate 8' from the edge of pavement. Discussion with staff followed. Cliff Peterson moved to approve work within the right-of-way on the condition that the work performed is consistent with the submitted drawings. Rick Heh seconded and the motion passed 2-0.

7:32 p.m. Jacobs/HR016: Applicant Phil Jacobs sworn in and discussed proposal with the Board. Individual driveway locations not finalized. Cliff Peterson moved to approve preliminary access permit for Min's Lane (not individual driveways) to be built to A-76 standards for 3 residential lots only on the lands of Phil Jacobs as shown on plans prepared by O'Leary-Burke Civil Associates, Job #5106, dated

May 10, 2016 (Sheets 1 - 6). Further conditioned that an ANR Stormwater permit be obtained prior to application for Final Access approval. Rick Heh seconded and the motion passed 2-0.

Notice made of Roy/VT910 application being rescheduled to a later date after applicant has obtained VTrans review and approval for project.

7:56 p.m. Warrants and Minutes: The Selectboard reviewed and signed the current warrants.

Cliff Peterson moved approval of minutes of the May 10, 2016 Special Selectboard meeting. Rick Heh seconded and the motion passed 2-0.

Cliff Peterson moved approval of minutes of the May 10, 2016 Regular Selectboard meeting. Rick Heh seconded with corrections to times as noted and the motion passed 2-0.

7:59 p.m. Member Items, Correspondence, Announcements, Schedule: Notice made of the next Special Selectboard meeting being held on June 6, 2016.

8:00 p.m. Deliberative Session

Clifford Peterson moved to enter Deliberative Session for discussion of the Chamberlin, Hunt and Lamphere access permits. Rick Heh seconded and the motion passed by a 2-0 vote.

On a motion by the Cliff Peterson, seconded by Rick Heh, the Selectboard came out of Deliberative Session on a 2-0 vote at 9:01 p.m.

Cliff Peterson moved that the Hunt/RA068T Access application be continued to the June 6, 2016 Selectboard Special Meeting. Rick Heh seconded and the motion passed by a 2-0 vote.

Regarding the May 10, 2016 decision to contract a third party engineer for review under section 6.5.B.5 of the Road, Driveway and Trail Ordinance, Cliff Peterson moved that the Town Administrator be authorized to approach Mike Weisel to determine his availability and provide a quote for his review of the Hunt/RA068T application with the following scope of work:

1. Can access be achieved at 10% or with some variation or waiver of the 10% requirement less than asked for in the proposal?
2. Is the proposed alignment the only alignment possible?
3. Is the proposed profile the only profile possible?
4. Would alternates exacerbate or meliorate drainage issues and to what degree?

Rick Heh seconded and the motion passed by a 2-0 vote.

Cliff Peterson moved that the Chamberlin/RV097 Preliminary Access application be approved with the following conditions and waivers:

The shared traveled portion of Chamberlin Woods to be 14 feet wide from River Road to Point A as shown on Aerial photo labeled Chamberlin Woods – Extension (dated March 29, 2016). Beyond that point all driveways are to be in conformance with Road Ordinance.

Pinch Point B as shown on Aerial Photo labeled Lower Chamberlin Woods (dated March 28, 2016): to be straightened as part of the proposed culvert replacement so all radii are in conformance with the Road Ordinance.

Pinch Point C as shown on Aerial photo labeled Curvature around Rock (dated April 13, 2016): for the length of the existing sugarhouse and rock at northeast end of sugarhouse, the current road width may be maintained.

Pinch Point D as shown on Aerial photo labeled Curvature around Rock (dated April 13, 2016): for the length of the road between the southern end of the existing barn and northern end of large rock to east of road and adjacent to barn, the current road width may be maintained.

All radii to be in conformance with the Road Ordinance.

Rick Heh seconded and the motion passed by a 2-0 vote.

Cliff Peterson moved that the Lamphere/BE116 Preliminary Access application be approved with the following conditions and waivers:

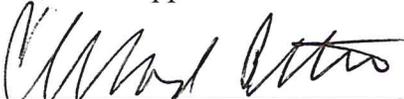
Driveway to be installed at B-71 standard as depicted on JH Stuart Drawings:
Luella Lamphere Estate Subdivision Site Plan, Revised date: 04/26/2016, and
Lamphere Estate Lot 2 Driveway Profile dated April 24, 2016

Due to the unique circumstances where the proposed driveway is deficient from full compliance with the 335' sight distance requirement but where there is an existing driveway immediately adjacent to the proposed driveway, an appropriate MUTCD compliant warning sign is to be installed, in consultation with the Road Foreman, approximately 335' in a downhill direction from the proposed driveway warning of the "blind driveways". Cost of sign and its installation to be borne by applicant.

9:08 p.m. Adjournment: On a motion made by Rick Heh and seconded by Cliff Peterson the Selectboard voted 2-0 to adjourn.

Submitted by Brian Bigelow, Town Administrator

Read and Approved as submitted/amended


Clifford Peterson, Chair

6/6/2016
Date