

**Town of Shaftsbury  
Selectboard Special Meeting  
6:30 PM  
Monday, November 3, 2014  
Cole Hall, 61 Buck Hill Road, Shaftsbury**

**Members Present:** Tim Scoggins, Mitch Race, Ken Harrington, Art Whitman,  
Tony Krulikowski

**Members Absent:** None

**TA Present:** David Kiernan

**Others Present:** Derek Carson, Terry Stacy, Chris Williams, Christian Heins,  
Bill Pennebaker, Lexey Covell, Jim Staples, Bob Moffitt

**6:30PM Regular meeting**

**1. Call to Order**

Tim Scoggins called the meeting to order at 6:30 PM.

**Changes to the agenda**

The Treasurer is not available to give a report.

Added to the agenda are: a report on the issue with the salt shed and DRB, an item to discuss budget priorities, and an executive session to discuss a real estate issue.

**2. Conflict of Interest Statement**

There are no conflicts of interest

**3. Approval of Minutes**

**Motion:** Mitch Race motioned to approve the October 20, 2014 meeting minutes as edited. Art Whitman 2nds. 5-0-0. Motion passes.

**4. Warrants**

**Motion:** Tim Scoggins moved to approve Check Warrant #10 for \$61,439.88. Mitch Race 2nds. 5-0-0. Motion passes.

**Motion:** Tim Scoggins moved to approve a petty cash supplement of \$400 to pay for the trip to Maryland to inspect truck. Mitch Race 2nds. 5-0-0. Motion passes.

**Motion:** Tim Scoggins motions to approve check warrant #9 for line markings on White Creek Road. Mitch Race 2nds. 5-0-0. Motion passes.

**5. Motion:** Tim Scoggins moves to approve check warrant #9 for \$30,000 for a payment toward the truck leasing company. Mitch Race 2nds. 5-0-0. Motion passes.

6. **Announcements**

There will be a Tree Lighting Ceremony on Sunday, December 7 at 4 pm at Cole Hall. Refreshments will be served by the Norshaft Lions.

7. **Public Comments**

None.

8. **Solid Waste Implementation Plan (SWIP)**

There was a meeting in Bennington in which a consultant advised on whether to form a district versus an alliance.

The towns are moving toward an alliance.

There would be a Board of Directors, in which there would be one member from each town.

The Plan will be in place by next July. The group is looking to hire a contracting company to manage. Education programs in the school are part of Act requirement.

By next meeting someone should be nominated to be represent the town at the Alliance meetings. Mitch Race will represent the town and Tony Krulikowski will be the alternate.

The Alliance is to meet quarterly after it is up and running in July.

9. **Lease of Town Property on Buck Hill Road opposite Cole Hall**

There is a piece of property across from Town Hall that the Town owns and leases to McCarthy for \$300 a year to use for parking for the apartments on the adjoining property. The lease expires January 2015 and the adjoining property is currently for sale.

This is a small piece of property that had a Blacksmith Shop on it.

Should the property be leased again or sold?

David Kiernan will discuss with Town Attorney Rob Woolmington and get the property assessed by next meeting.

10. **Administrator's Report**

A letter was received from FEMA regarding the Flood Plain Map. On November 10<sup>th</sup>, 90-day appeal process will begin. The plan is based on the 2010-2011 maps.

There will be information on the website on how to appeal.

**a. Budget Update**

There will be a budget meeting on November 17th. The Selectboard will receive the budget for healthcare by the end of the week. Prices will be 7–8% higher.

Start time of meeting will be 6:00 pm.

Department heads will be asked to come to the December 1<sup>st</sup> meeting.

**7:00PM Public Hearing on Zoning Bylaw Changes**

The Select Board voted at the last meeting on language for zoning bylaws.

**a) Shaftsbury Hollow FR Boundary**

Tim Scoggins put the map given by Jim Henderson to screen to show areas on Shaftsbury Hollow and Granger Hollow Roads and where the changes would occur.

Tim Scoggins read the proposed zoning bylaw which asked if the voters approve a change to the zoning district map involving lands along the ends in Shaftsbury Hollow and Granger Hollow Roads? The lands in question are presently zoned as Forest and Recreation. The proposed change would change two areas from FR to RR-200 (Rural Residential with a lot size of 200 acres five acre minimum lot size) involves lands from the present RR-80 zoning boundary, running northerly up to the 1400 foot contour. No lands presently zoned RR-80 will be impacted.

Planning Commission Member Chris Williams explained that Christian Heins of Woodland Services (who was present at this meeting) represents a group of homeowners who felt the map change in 2000 was arbitrary. People in Shaftsbury Hollow live in the area year round with septic and heat and the roads are plowed.

Christian Heins submitted build-out analyses of one site in Shaftsbury Hollow and thirteen sites in Granger Hollow that are reasonable to upzone to RR-200 and open the land.

Heins claimed the land did not follow property lines and there was no justification where the dividing lines are.

This zoning bylaw change will be decided by voters in the March 3 election. There will be more informational meetings as the Election approaches. Chris Williams' notes will be on website.

**b) Home Occupations**

Should the voters approve a change to the Zoning Bylaws involving home occupations?

Chris Williams explained that this zoning bylaw outlines rules on how a home occupation is to be run in Shaftsbury with regard to number of employees, parking signage, etc.

**c) Multi-family Housing**

Tim Scoggins read proposed zoning bylaw change:

Chris Williams explained that a housing developer pointed out that multi-family dwellings are not allowed in Village Residential zone under the current zoning bylaws, but are allowed in Rural Residential zones. The Planning Commission and the Selectboard feel this is backwards.

This zoning bylaw will correct that.

No public comments.

**d) Subdivision Regulations**

Tim Scoggins read proposed zoning bylaw change:

Chris Williams explained that this provision increases incentives to developers to cluster development and preserve open spaces.

Bill Pennebaker explained that a section of the main bylaws was struck out. Chris Williams explained that it was moved so that public could read associated bylaws together.

The voters approve all zoning bylaw changes, so these will be on the ballot for March.

The public hearing is closed.

**11. Road Foreman Update****a. Road Report**

Road Foreman Terry Stacy reported The Road Crew is grading every day to prep the roads for winter. Grader training continues.

Art Whitman asked if there is an agreement with Peckham/Dailey about Airport Road. Terry Stacy answered that there is no agreement

Tim Scoggins stated that the Selectboard received a petition that people were unhappy with the condition of Airport Road. There was no contact person on petition.

The Selectboard will reopen issue with Peckham about paving. Peckham has put time into the road and been a good corporate neighbor.

**b. Tractor Report**

(Members from the road department went to Maryland to look at bucket loader for purchase as discussed in previous meetings.) Road Department mechanic recommends complete service, but vehicle is good to purchase.

**Motion:** Art Whitman moved to purchase military surplus bucket loader for \$500 plus \$1,000 in transportation fees. Tim Scoggins 2nds.

David Kiernan suggested to amend the transportation fees.

**Motion:** Art Whitman motioned to amend the main motion to change transportation fees from \$1,000 to \$1,500. Ken Harrington 2nds. 5-0-0. Motion passes.

Tim Scoggins asked if \$5,000 is available to bring the vehicle into working order.. Terry Stacy stated that there is \$3,000 in the general budget. Kiernan felt the money could be found in the Highway Dept. budget.

This piece of equipment will prevent the trucks from waiting up to 40 minutes to be loaded for salt

The Road Department plans to grade Rollin Road sometime this week.

**c) Salt Shed Update**

Development Review Board (DRB) met this week to discuss the Town's application to expand the salt shed. The DRB stated that it cannot deny the town's application, but set conditions on it.

The existing salt shed is a nonconforming structure and the expansion will be too close to the property line.

Tim Scoggins requested that the Selectboard withdraw its application and find another way to bridge the gap.

**Motion:** Tim Scoggins moved to withdraw the application with the Development Review Board to expand the salt shed. Mitch Race 2nds. 4-1-0. Ken Harrington abstains. Motion carries.

(continuation of Town Administrator's Report, item # 9)

**b. Website Purchasing Policy**

A section of the website will be started where all bids and proposals will be posted for a 21-day period for all active contractors in the area to bid. After the 21-day period, a contractor will be chosen.

This will be for work that will cost between \$3,000 and \$9,999. At \$10,000, there is a different process.

This is to eliminate the perception that people are being selectively called.

c. **VOSHA Inspection**

There will be an VOSHA inspection of the garage.

12. **Other Business**

Ken Harrington recommended a postage meter for Town Clerk Judy Stratton to use in the office.

13. **Review of Action Items**

- Holiday Lighting for December 7<sup>th</sup> at 4 pm.
- 90 Day Appeal Process for FEMA will be put on website.
- Plan for budget meeting on November 17<sup>th</sup> at 6:00 pm.
- Monitor situation with Peckham. Art Whitman will be the contact.
- David Kiernan will withdraw application from DRB on salt shed.
- David Kiernan will look into the cost of a postage meter.
- David Kiernan will consult with Woolmington about how best to proceed with lease of town property on Buck Hill given property is for sale.
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14. **Executive Session**

**Motion:** Mitch Race made a motion to enter into Executive Session at 8:57 pm. Tim Scoggins 2nds. 5-0-0. Motion carries.

**Executive session ended at 9:10.**

15. **Adjournment**

Board adjourned at 9:10 PM.