

UNAPPROVED

Select Board Meeting Minutes

August 20, 2014

This meeting was called to order by Zeke Goodband at 6:00 p.m. at the Town Offices in Dummerston, Vermont.

Members present: Joe Cook, Steve Glabach, Zeke Goodband and Lewis White.

Not present: Gurudharm Khalsa.

Also present: BCTV, Lee Chamberlin, Mike Faher from *Brattleboro Reformer*, Claudia Teachman, Jason Cooper, Charlotte Annis, Jean Momaney, Paul Cameron, Peter Doubleday, Sigrid Pickering, Glenn Annis, Doug Hamilton, and Kelly McHugh.

On a motion by Lewis and seconded by Joe, the Board voted 3-0 to approve the meeting minutes of June 11th. Steve abstained.

On a motion by Steve and seconded by Joe, the Board voted 3-0 to approve the meeting minutes of June 25th. Lewis abstained. Prior to approval Lewis and Zeke confirmed that during prior negotiations the Learning Collaborative offered to give the Town \$3,338 annually in lieu of property taxes.

On a motion by Lewis and seconded by Steve, the Board voted 4-0 to approve the payment of Warrants 4, 4P and Conservation Commission #2.

Jason Cooper detailed plans for the continuation and improvement of the West River Trail in response to a letter that the Friends of the West River Trail (FOWRT) and the Board had received from Sigrid Pickering, and an e-mail that the Town Clerk had received from Hakan and Jennifer Demir. In an effort to separate users of the trail from vehicular traffic along Rice Farm and Quarry Roads, FOWRT has proposed a route following the former railroad bed across four properties from Rice Farm Road to The Nature Conservancy parking lot on Quarry Road. This will entail building a 25 foot bridge over a brook, grading the trail, applying Surepack, and installing warning signs where the trail crosses Rice Farm Road. Since the trail extension would pass through a flood hazard area, FOWRT has submitted a zoning permit application to the Town's Zoning Administrator, and the State of Vermont's jurisdiction is invoked.. Sigrid Pickering expressed concerns about the proposed crossing of Rice Farm Road at a blind spot in the road, and the speed of traffic along that road. She questioned the source of funding for the proposed extension, the lack of facilities, impact of the trail and the proposed extension upon her property, and the potential for vandalism, saying that it amounted to a taking. Jason said that the FOWRT will continue to work with adjacent property owners to address their concerns and be good neighbors, that the trail benefits our community, and that studies have shown that similar trails enhanced property values. Glenn Annis asked whether ownership of a right-of-way for the trail has been established. Peter Doubleday asked why there is no tax parcel for the trail. Jason said FOWRT has opinions from several attorneys stating that they own the property along the

trail route. Joe noted that opinion is not shared by Bob Fisher, the Town's attorney, and that the Board would not be the authority that establishes the ownership of land along the trail or a right-of-way. Charlotte said that the zoning permit application is incomplete in that it has no parcel numbers, and was not signed by any of the affected property owners. If all of those signatures are not obtained, and the permit therefore is not issued, FOWRT may appeal the matter to the Development Review Board.

In his highway report, Lee Chamberlin said that the responsibility for compliance with federal safety standards at the Renaud gravel pit had been transferred from the Town to Renaud. During a recent inspection only minor safety violations were found. The Town has received a new blasting plan from Key Drilling & Blasting, the current contractor. Zeke will be meeting with Alan McBain and Duane Fletcher to address the ongoing concerns expressed by residents of Poplar Commons. Lewis moved, and Steve seconded a motion to approve a job description for a laborer, truck driver, and equipment operator. The motion passed 4-0. Steve suggested that the job be advertised in the *Keene Sentinel* as well as the *Brattleboro Reformer*. In response to concerns expressed by a resident, Lee said that grading will take place on Rice Farm and Quarry Roads in September or October. He said that the Quarry Road project may take longer than expected, due to delays in acquiring a culvert. The Board received a letter from the Conservation Commission asking to be involved with the Town construction projects so that they can suggest ways to protect natural features. Zeke noted that Vermont's Agency of Natural Resources and the Army Corps of Engineers are already involved with many Town projects. Lee nevertheless agreed to do so.

Under new business Charlotte proposed increasing Development Review Board hearing fees to offset increased notice publication costs. Variance, waiver, conditional use, right-of-way, and appeals would rise to \$100; site plans to \$60, and Planned Unit Developments to \$130. Steve moved that those proposed fees be adopted, and Joe seconded his motion. The motion passed 4-0.

There being no other business to come before the Board, the meeting was adjourned at 7:12.

Approved

Zeke Goodband, Chair

Joe Cook, Clerk

Submitted by: Joe Cook, Clerk