

TOWN OF MARLBORO
REGULAR SELECT BOARD MEETING
Thursday, September 28, 2017

ATTENDANCE:

Present were select board (SB) members Pieter van Loon, Chair; Patti Smith, Vice Chair and Tyler Gibbons, member. Also present were Planning Commission (PC) members Matt Tell, Edie Mas, and Staley McDermet; Development Review Board (DRB) members, Steven John, and Jean Boardman; Conservation Commission (CC) member, Ashley Bies; Resident, Megan Littlehales; Zoning Administrator, Mary Sargent and Select Board Assistant, Marcia Hamilton.

CALL TO ORDER:

The meeting came to order at 5:04 PM.

IDENTIFY ANY CHANGES TO AGENDA:

No changes were made to the agenda.

SCHEDULED BUSINESS:

No member of the public was present during the unscheduled open public comment period.

The board approved and signed Pay Orders.

The board voted (van Loon/Smith) to approve the minutes of the regular meeting of 08/10/17.
The board voted (Gibbons/Smith) to approve the minutes of the regular meeting of 09/14/17.

The board took up discussion of the zoning regulations. Megan Littlehales stated she would like the group to consider including a waiver provision for setback from highway right of way. She is unable to meet the five existing criteria for the DRB to grant a variance. Discussion ensued about a waiver provision. Staley thinks there can be two tracks. The PC could work on waiver standards and the select board could continue with the process of discussing the draft.

Pieter asked if there would be any more things to change. Patti stated a couple of other issues would be raised that are not included in the current draft. Pieter asked if the shoreline regulations differ from those of the state. Edie Mas stated the fluvial section (Section 380) is from Vermont statutes.

Discussion with Environmental Consultant (Section 355) was reviewed. Citizens have a choice whether to use the State Fish and Wildlife Department or the CC to follow the standards for developing property. The draft proposes an environmental review take place within 21 days. The State Fish and Wildlife Department might not have a timely turn-around. There was discussion of what would happen if the CC loses members and cannot function as intended. Possibly other experts could be called upon to provide the review. The PC will work to create a provision, review it at its next meeting and submit a draft recommendation to the SB. The applicant may have a third option for review – if the CC is not able to function within 21 days, the chair may approve a mutually agreeable expert.

The PC will work on three points and recommend a draft to the select board before its next meeting on October 12: (1) The environmental review time limit of 21 days; (2) a third option of a mutually agreeable expert to review and (3) waiver of setback from highway right of way.

Marcia left the meeting at 7:30. Tyler took minutes from 7:30 to adjournment.

Ashley Bies from the Conservation Commission presented a new approach to thinking about Wildlife Road Crossings. He showed regional maps of crucial wildlife corridors and then specific areas of Marlboro that are key crossing points. He noted that a town-wide wildlife crossing zoning approach had been removed from the PC's proposed zoning changes in response to large turnout of concerned landowners at the June PC public hearing. He said the Conservation Commission now recommends taking into consideration a more specific Wildlife Road Crossing zoning proposal—roughly 9 especially critical crossings in central Marlboro—as soon as possible.

Steven John said the Planning Commission made a political decision to not include the original Wildlife Road Crossing Overlay because the PC was worried the zoning ordinance wouldn't pass a town vote with language about Wildlife Road Crossings included.

Ashley Bies noted that the CC is supporting a different approach (more specific) and should be looked at anew.

Staley McDermott said he fears that people have negative connotations about Wildlife Road Crossings, and that it will take quite a bit of time to educate people about how Wildlife Road Crossings could work in town zoning ordinances.

There ensued a conversation about how the PC could pursue Wildlife Road Crossing regulation separate from the current zoning change proposal.

The Select Board asked the Planning Commission to consider a 20 foot road set back as opposed to the proposed change of a 30 foot set back (the current zoning ordinance is a 50 foot set back). The Select Board also asked the Planning Commission to consider giving the DRB power of waiver for certain specific setback situations.

OLD BUSINESS:

The board received an email from Diana Todd regarding Vermont Outdoor Recreation Economic Collaborative. Pieter will attend the meeting in Dummerston October 16.

NEW BUSINESS:

The board signed the WSWMD Memorandum of Understanding Regarding WSWMD Recycling Roll-off Containers. Tyler reported there appear to be no problems with the current process. Pieter asked the people in the room their opinions. There were no problems expressed.

The board signed the Request for Reimbursement (TA 65) for Bridge 5 (BC1675). Marcia will scan it and forward it on.

INFORMATION ITEMS AND MAIL:

The board reviewed the following information items and mail.

- 09/08/17 Email from Diana Todd, HMCA Activity Update
- 09/12/17 Email from Sarah Lang, SeVEDS/BDCC: Her Info Sheet

- 09/20/17 Email from Ashley Bies : ANR “Caring for Natural Resources: Taking Action in Your Community”, Dummerston October 2 and 9, \$25
- 09/20/17 Email from Diana Todd: Review of Easement at HPC Meeting 11/13/2017

ADJOURN

The meeting adjourned at 8:37 PM.

Respectfully submitted,

5:00 – 7:30 Marcia Hamilton, Select Board Assistant

7:30 – 8:37 Tyler Gibbons, Select Board Member

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