

## **Minutes**

### **Town Of Marlboro Select Board Meeting Thursday, September 8, 2022, 6:00pm**

**Attendees:** Aaron Betts, Chair; Molly Welch, Board Member, David Elliot, Road Foreman; Nick Morgan, Select Board Assistant; Peggy Tiffany, Marlboro ACO; Forrest Holzapfel, Town Clerk; Steven John, Jean Boardman, & Eva Grimaldi, DRB; Tim Segar, Staley McDermet, Edie Mas, & Donald Sherefkin, Planning Commission; Mary Sargent, Zoning Commissioner, Pieter van Loon, Tree Warden.

Jim Agate, Vice-Chair- unable to attend

### **Called to Order by Aaron Betts @ 6:06pm**

#### **Scheduled Business**

Unscheduled Open Public Comment - None

Approval of Minutes from August 25, 2022 – Motion to approve: (Betts/Welch – Passed unanimously)

Signature of Pay Orders – Done

**Changes to published agenda:** None

#### **New Business**

##### ACO Letter regarding chronic loose dog issue

After reviewing a pair of draft of letters to Lizz & Sam, the Board and Peggy agreed that the draft originally written by Peggy was the most appropriate as this situation has been ongoing for more than a year and the ordinances are quite clear in their dictates of the growing consequences for continuing violations.

Motion to approve the wording of the initial draft of the letter to Lizz Hauty and have the letter sent ASAP. (Betts/Welch – Passed unanimously). Once motion passed the Board directed Board Assistant (Nick Morgan) to send the letter via certified mail as soon as possible.

##### Town Administrator Report:

Advertising plan for Road Foreman (plan, budget, etc.):

Nick reviewed the abbreviated display ad (do reduce newspaper advertising costs) and presented the Board with the costs of placing the ad in various area newspapers (Commons, Brattleboro Reformer, Deerfield Valley News, and Rutland Herald). In order to keep costs down, the Board decided to wait on using the Keene Sentinel and the Bennington Banner for this job posting.

Motion to have Nick proceed with placing the Road Foreman job in the Commons, Brattleboro Reformer, Deerfield Valley News, and Rutland Herald over the next couple of weeks (Betts/Welch – Passed unanimously)

Nick further reviewed the search plan with placing the job description on the Vermont JobLink and VLCT Job Board websites as well as posting it to the Town's website, its Facebook page, and on Front Page Forum.

Notice from VT Agency of Natural Resources:

Completing the Town Administrator report, Nick noted that the VT Agency of Natural Resources had posting a public notice on an upcoming informational meeting regarding General Permit 3-9040 for Stormwater Discharges from Municipal Roads (MRGP). Public comment is being solicited through 10/24/22 and an online session is scheduled for 10/10/22.

Nick advised that as more information is available, he will continue to update the Board as well as the Highway Department.

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### Town Administrator Report (continued):

#### Grant announcement from WRC

The WRC has announced a round of Grants for Municipal Road and Stormwater Mitigation with a 10/7/22 deadline. Nick will provide the Board with more details of the Grants and while asking advice of the WRC will also invite the WRC to attend the 9/22/22 meeting to review the grants and the application process.

### Discussion regarding Conservation Commission & Zoning Regs (SB, DRB, PC):

Member of the SB, the PC, the DRB, and the Zoning Commission, at the invitation of the SB, came together to discuss the current situation with the regulations, specifically those sections that mandate environmental evaluation and review of projects (including but not solely, sections 355 & 372). After much discussion, including input from Tree Warden, Pieter van Loon, it was generally agreed that modifications need to be made to provide clearer guidelines and provide a mechanism for financial assistance (should it be deemed necessary) to help defray what can be substantial costs to perform these environmental impact studies. Several options were discussed with no firm decisions made, but in general and based on concerns expressed by the DRB (Jean B.) much better communications between the boards and commissions in question needs to be generated and that it is essential to reconstitute the Conservation and Energy Commissions as quickly as possible as these Commission play a vital role in this process.

Aside from the general question of overall communication, the regulations need more specifics in when impact studies are needed and a clear and easily understandable process steps needs to be generated and included with permit request paperwork provided to residents looking to start a project.

It was discussed that it has been difficult to reconstitute the Conservation Commission during “Covid” times and Tim suggested that an open forum for the town in general might be a way to stir interest. The Board liked this idea and will follow up with the PC to see how to proceed.

Pieter was asked if he knew of agencies and/or companies who could provide impact studies and he noted that there were many, many companies in the state and he would help to provide a list and get information on costs, lead times, etc.

Pieter also suggested that due to the potential for high costs, that the regulations might be changed to absent some small projects or projects that are simply adding onto (or are close to) past projects that already went through and passed the impact studies. All at the meeting felt this was very much worth looking into.

Edie Mas made a suggestion that was also met with general acceptance: Possibly set up a “retainer” type situation with a consultant which the Conservation Commission would be able to call on for assistance so as to not overwhelm a volunteer commission with little expert knowledge in environmental issues.

Building on an earlier thought, Pieter suggested that Zoning Documents provided to a new project include a list of bullet points and a flow chart to assist homeowners in negotiating the process. All agreed that this would be a great idea.

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Finally, Molly emphasized that the SB is completely behind the need for environmental concerns and guidelines, that it is very important to make it understandable, and that there is a clear path to a solution that is both timely and affordable.

Suggestion from Pieter that one the Zoning Documents that there be a bullet point list of permitting requirements that may impact a project.

In summing up the meeting, Aaron and Molly put forward the following list as the basis for moving forward:

- Investigate environmental consultants
- Continue to require impact studies but make them available and affordable
- Improve inter-town governmental communication in general and formally with 3 to 4 meetings per year among the heads of the relevant commissions (SB, PC, DRB, Zoning, Highway, Conservation, Energy, etc.)
- Investigate a “fund” for consultants (retainer)
- Simplify Zoning permit application, providing “step-by-step flow chart” to assist permit seekers
- Begin and conduct a public search for new heads of key commissions (Conservation, Energy, etc.) hopefully generating interest amongst residents to volunteer
  
- Reach out to consultants for costs
- Put together a public forum to discuss conservation and energy commissions
- ANR possible resource
- Simplification of regulations to advance understanding
- On zoning request packet bulletize regulation
- Putting Aside some money
- List of resources
- Flow chart of what is involved in Zoning packet and permitting
- On Call Consultant for new Conservation Commission to help reconstitute

Prior to closing discussion on this topic, Nick suggested and volunteered to coordinate quarterly meetings with one member from each of the town’s main commissions (Boards, Committees, etc.) and Town officials (Treasurer, Town Clerk, Highway Foreman) to ensure communication and facilitate cohesive action.

All in attendance agreed that this was a good start and agreed to continue to talk and follow-up on the topics and items brought forth during this meeting.

### **Old Business**

First Aid Building Next Steps- Tabled for the night

**Motion to Adjourn – 7:47 (Betts/Welch – Passed unanimously)**