

Select Board Members

Peter Hood, Chair
 Liz, Scharf, Vice Chair
 Randy Drury
 Vic Dwire
 Phil Hyjek

MIDDLESEX SELECT BOARD
TUESDAY, AUGUST 2, 2022
Remove via Zoom and in Town Hall
Middlesex Town Clerk's Office
5 Church Street
Middlesex, Vermont 05602
(802) 223-5915

MINUTES.

PRESENT: Peter O. Hood, Chair. Liz Scharf, Vice Chair. Members Vic Dwire and Phil Hyjek, Treasurer Dorinda Crowell. Road. CVRPC Senior Planner Clare Rock, Planning Commission Chair Sandy Levine. Road Foreman Eric Metivier. Former Road Foreman Paul Cerminara and Trails Committee Member Michael Levine. The meeting was recorded by ORCA and Select Board Assistant Sarah Merriman took the minutes.

Call to Order

Peter called the meeting to order at 5:00 PM. The agenda was amended to include an update on VLCT Select Board training and reapplying for a Town Hall grant.

CVRPC Presentation on Proposed Zoning Regs Changes

Clare provided a [Power Point presentation](#) on proposed Middlesex Land Use & Development Regulations approved by the Planning Commission on July 20, 2022, and being presented to the Select Board tonight. Clare noted that after the 2019 Town Plan was approved by the voters, the Planning Commission addressed updates to the current zoning regulations, using the Town Plan as basis. The commission held a public hearing on the proposed regulations July 15th and made a few changes based on the comments. After the Select Board officially receives the proposed regulations, it must hold at least one public hearing no fewer than 15 days and no more than 120 days from receipt.

The PC had four goals when rewriting the regulations: clarify, simplify, modernize and align with municipal plan. The PC identified areas that could be better worded for more clarity and modernized regulations to comply with current statutory requirements. The PC spent considerable effort on the village, flood-prone areas, natural resources and rural areas and also the administrative and process section. It distributed two surveys to which 100 people responded, mostly positively, and there was a personal outreach to those living in the floodplains and in Putnamville. All PC meetings were public and warned.

Highlights in simplification: streamlining the permit process by easing the steps for compatible, small-scale development and making the site-plan review process more efficient. A Development Review Board was approved in June to replace the Zoning Board of Adjustment and the Planning Commission's permitting duties so the PC can focus on planning instead. This is section 7.8.

The proposed regs are in compliance with the new Town Plan which increases allowable uses in the village area with accessory buildings, galleries and museums. The approval process has also been streamlined. While there are still district tables, a new table 2.9 provides an easy overview of all the districts and the review process for each. A new section – 4.14- addresses how gas stations, which currently are not allowed in the village, are treated. Clare noted Middlesex will want to draw visitors to the village with a gas station instead of the interstate.

West of the village allows more diverse growth. There is a new process to allow accessory businesses on farms, a move promoted by the VT Agency of Agriculture. The new regs prepare for future flood hazards by limiting growth in the floodplain. A portion currently along US Route 2 near Lower Barnett Hill Road that is in the industrial section is proposed to be rezoned to Rural Residential since industries should not be built in floodplains, Clare noted. In addition, to eliminate barriers for development in the Industrial Section, lots have been decreased from 1 acre to ½ acre to make them more affordable. Along the same lines, accessory dwellings are now larger to provide for more housing options.

The zoning map was changed to reflect the that small portion of the Industrial Section being rezoned to Rural Residential and to correct an error in the current map that allows for Rural Residential zoning around the Wrightsville Reservoir. Putnamville has its own district.

Peter thanked Clare for the summary and suggested the Board accept the proposal and schedule a public hearing. Liz asked if turning the Rural Residential designation around Wrightsville to Conservation would impact any residents living there. Clare said no, though it may be an issue if they wish to subdivide in the future. Sandy said the rezoning really was just to correct a mistake.

Liz asked about accessory retail in the Mixed Use District. Retail will be allowed as long as it is under a certain square footage and is in conjunction with residential construction. For example, a drug store may come in to the community, but the area cannot be for a large drugstore, alone.

The Board discussed the fact that due to the VT Secretary of State mailing General Election ballots to all active, registered voters this fall, ballot questions must be submitted to the State by August 17th. The Town cannot make that deadline for the Zoning Regulations. Sandy said the Planning Commission did not feel there was a rush and that they could be voted on at the March 2023 Town Meeting ballot.

MOTION: Liz moved to accept from the proposed, amended Middlesex Land Use and Development Regulations. Phil seconded. The motion passed.

MOTION: Phil moved and Vic seconded holding a public hearing on the above, proposed regulation on September 20, 2022. The motion passed and Clare left the meeting.

Memorandum of Understanding with CV Fiber.

The Board suggested sending the Memorandum of Understanding from CV Fiber to the Town Attorney for review before approval. The Board passed over this until next time.

Public Hearing to Discuss ARPA Funds

The Board discussed holding a public hearing to gain input on how to spend the \$400,000 of the \$500,000 ARPA funds allocated to Middlesex. Dorinda reminded the Board that it wished to review its list of ARPA projects first. The Board did so until Phil reminded the Board this was not warned on the agenda.

Liz brought up discussion of reapplying for a planning grant that could pay for consultation on what to do with Town Hall. However, the grant won't come through until the spring of 2023 and by then the Town may have hit a crisis situation. Sandy said she was meeting with someone from the Preservation Trust of Vermont at Town Hall to see if the building is eligible for some sort of grant that would pay for an assessment of the building as an historic structure to preserve.

The Board decided to warn a discussion about ARPA funds for the August 16th Board meeting and set a public hearing date then.

Treasurer's Report

This was passed over since there was nothing to report

Highway Report: North Bear Swamp/Center Road

In response to the July 19th discussion with members of the Trails Committee about the flooded conditions of North Bear Swamp Road between East Bear Swamp and the Hunger Mountain parking area, Vic said the Road Crew will clear some of the brush up there and drain the puddles, perhaps put material from the Town pit to make the road more passable. However, this will not be happening for a few weeks.

Vic said it's difficult having two trucks out of commission. People in Town have lots of requests and the Road Crew can not fulfill them. As for Center Road, the Town is using an excavator and big truck to remove the pavement between Center Road and the turnoff to Old Brook Road. They've removed an inch and a half of pavement. The rest of Center Road to the State's right of way will be "cold planed." As for the new truck, Eric said it may not be delivered until September.

Michael Levine asked for more details about the plans for North Swamp and cautioned that, as there are no invasive species of plants up there now, the Town should be careful about what's in the material it brings. Eric said the Town has material that will fit the bill. Mike said he encourages the Town to do the minimum upgrade on the road and also encouraged the Town to install a sign at the intersection of Shady Rill and Story Road advising motorists to access the Hunger Mountain Trail through Story Road/North Bear Swamp as opposed to going up East Bear Swamp. Peter said the sign was a great project for the Trails Committee. The Town will pay for the sign if the Trails Committee designs it. Michael said, okay.

OTHER BUSINESS

MOTION: Phil moved and Vic seconded approving the amended minutes of the July 19, 2022 Select Board meeting. The motion passed.

Phil said he's been following up with VLCT's municipal assistance center about bringing in someone to talk to the board about the open meetings laws and Select Board rules and responsibilities. VLCT recommended a person from UVM who might conduct a training on how to run an effective meeting as well as setting policies and procedures.

Liz said reapplying for the Town Hall planning grant is not an immediate issue. Peter said the door shouldn't be closed on the grant and that it should be pursued.

All orders were approved and signed.

The meeting adjourned at 6:44 PM

Respectfully submitted by Sarah Merriman, Town Clerk/Select Board Assistant

THE ABOVE MINUTES WERE REMOTELY APPROVED AS A WARNED AGENDA ITEM AT A REGULARLY SCHEDULED MEETING OF THE MIDDLESEX SELECT BOARD ON AUGUST 16, 2022.

PETER O. HOOD, CHAIR

ELIZABETH SCHARF, VICE CHAIR

RANDY DRURY

VIC DWIRE

PHIL HYJEK