

TOWN OF LYNDON  
SELECTBOARD MEETING  
September 17, 2018  
5:30 PM

Selectboard

Kermit Fisher, Chair  
Christian Thompson

Press

Will Barrett

Public

Dawn Dwyer, Justin Smith, Steve Gray,  
Diane Matthews, Larry Willey, Bill Walker  
Bob Howland, Joe Buzzi, Annie McLean

1. Adjustments to the Agenda:  
\*Overweight permit   \*Rec Dept. Conference request   \*Banner request
2. Approval of minutes:  
Motion made by Chris Thompson, seconded by Kermit Fisher, to approve the September 4, 2018 minutes with amendments. Motion carried 2 to 0.
3. Approval & Signing of Orders drawn on the Treasurer:  
The Board approved and signed the orders drawn on the Treasurer for weeks # 36 & 37
4. Highway Report:  
At 71% through the year, payroll is 70% spent and the entire budget is 46% expended.
5. Access Permit:  
Motion made by Chris Thompson, seconded by Kermit Fisher, to approve the access permit for Nancy Strawbridge for access on the north side of Darling Hill Road. Motion carried 2-0. Rob Nutting, Road Foreman has inspected the location. He feels trees on the right side, going in, will need to be cut for better site distance.
6. VAST Trail Update:  
Rick Ringgard sent a letter to the Selectboard updating them on their possible reroute of Trail 52 near Calendar Brook Road and updates on the reroute several years ago at Fall Brook Road. Their final resort was to reroute the trail deeper into the landowner's property where the trail currently runs. This option was not possible because of terrain, location of houses and future plans of the property owners. The trail will now be dead ended from both ends.  
The club has walked the ravine where the Fall Brook Bridge crosses and due to the width, depth and thickness of the woods at the crossing, were unable to find an alternate trail. Therefore, they are asking to continue to use the existing crossing across Fall Brook Road. The club is responsible for enforcement and responsible to resolve an unauthorized travel. Club is also responsible for law enforcement as needed.
7. Park & Ride Lighting:  
Resident Bill Walker has offered to pay for a solar powered, motion activated, light to be installed at the Park & Ride for security reasons. Chief Harris did not have any concerns as long as the light does not interfere with nearby residents. Motion made by Chris Thompson, seconded by Kermit Fisher, to have a solar powered, motion activated light installed at the Park & Ride courtesy of Bill Walker. Motion carried 2-0.
8. Excess Weight Permit Applications:  
Motion made by Kermit Fisher, seconded by Chris Thompson to approve the Fleet Excess Weight Permit for Grizzly Mountain Trucking LLC, with approval for Justin Smith to sign on behalf of the Board. Motion carried 2 to 0.

9. Ice Arena Financials:

The Board has received the current year's budget but not the final figures for last year ending June 30, 2018. Justin will ask to have the final 2017-2018 budget presented at the next meeting by a LI representative.

10. Banner Request:

The Kingdom Challenge organizers would like to hang a banner on the Public Safety Building for a month prior to their half marathon on October 27, 2018. The Board would like them to seek other alternative locations for their banner.

11. Rec Dept. Conference Request:

Adrienne D'Olimpio, Community Chair of the Lyndon Recreation Task Force, would like to attend the Vermont Recreation & Parks Association Conference being held October 10 & 11 at Lake Morey Inn and is asking if the Town would cover the one day cost of \$110. Motion made by Chris Thompson, seconded by Kermit Fisher, to approve the one day fee of \$110 to attend the Vermont Recreation & Parks Association Conference. Motion was defeated 0-2. The Board felt that because the Town does not have a Recreation Department at this time or a budget item, it is not appropriate to fund the request.

12. Green-Up Day Request:

Annually we get a request from Green-up Vermont to consider a contribution for 2019 during the budget process. Dawn will look into where in the budget money was allotted.

The Selectboard Meeting was suspended at 5:59 PM in order to open the Public Hearing.

Kermit Fisher, chair of the Selectboard, opened the Public Hearing at 6:00 PM for public review and comments on proposed amendments to the Town of Lyndon Zoning Bylaws pursuant to 24 V.S.A. § 4441. Justin Smith, Municipal Administrator, reviewed the process required by Statute. Annie McLean, Zoning & Planning Administrator, then reviewed each of the eight (8) proposed amendments listed below.

- 1) Clarification of "other uses" in all zoning districts where "other uses" are allowed;
- 2) Removal of lot delineations for more than one residence on a single lot [section 4.8];
- 3) Clarification of building coverage [MINIMUM REQUIREMENTS FOR DEVELOPMENT, section 12.7.4];
- 4) Removal of zoning permit extensions [section 13.8];
- 5) Allowance of signs for home occupations [ARTICLE XVII];
- 6) Removal of conditional use allowance for additional sign area and height [section 16.10.1];
- 7) Addition of definition of "Grading" to Flood Hazard Regulations [section 11.11]; and,
- 8) Correction of reference in Planned Unit Development density calculations [section 12.5.1.2].

Motion made by Chris Thompson, seconded by Kermit Fisher, to approve amendments 1, 2, 3,4,5,7 and 8 as written. Motion carried 2-0.

The Board amended #6 to modify the allowable signage in the Main Street Zoning District to match the allowable signage in the Village Commercial District. The proposed changes will be submitted to the Planning Commission for their review and a Public Hearing warned.

The Public Hearing was closed at 6:51 PM.

The Selectboard portion of the meeting was resumed at 6:52 PM

13. Nuisance Structures-Dangerous Buildings Ordinance:

An updated draft of the proposed ordinance was reviewed by the Board. Chris Thompson expressed concern with the generalized definitions and feels they may be too subjective. How could they be more

defined for better guidance to the Building Safety Officer and property owners? He also wondered if the added work load to the Building Safety Officers was accounted for in the current budget. Justin explained that it would be added duties at this time. The Board felt it was a good starting point. Bill Walker asked if the Board would check with legal counsel regarding using the term “commercially reasonable appearance”. The Board would also like more public input as well as the full board to approve. Justin will add to the next agenda for October 1, 2018.

14. Other:

- a. The Board was informed that Brad Gebbie turned in all the redeemed Earley Trash Stickers. The final tally was for 5,969 stickers redeemed for \$17,907. Full unused stickers could be redeemed at Lyndonville Hardware during their regular hours until August 31, 2018.
- b. The Town Clerk has received a letter of appeal for the Board of Civil Authority from James Gallagher, attorney for the Upright Steeple Society. Mr. Gallagher was not going to be available during the time frame set by Statutes, so he waived the fourteen day requirement. The appeal will be set and the proper parties notified.

Chris Thompson moved to go into executive session to discuss the evaluation of an employee pursuant to 1 V.S.A. § 313(3) (a) (3) of the Vermont Statutes. Kermit Fisher seconded the motion and the Board entered executive session at 7:22 PM.

Motion made by Kermit Fisher, seconded by Chris Thompson, to come out of the executive session at 7:52 PM. No Action was taken.