

**TOWN OF WILLISTON
SELECTBOARD
MINUTES OF MEETING
May 1, 2018**

Approved May 15, 2018

MEMBERS PRESENT: Terry Macaig (Chair); Jeff Fehrs, Joy Limoge, Ted Kenney, Theresa Zittritsch.

ADMINISTRATION: Rick McGuire, Town Manager; Erik Wells, Assistant to the Town Manager; Jennifer Kennelly, Finance Manager; Melinda Scott, Conservation Planner; Ken Belliveau, Director of Planning & Zoning; Matt Boulanger, Senior Planner; Deb Beckett, Town Treasurer.

OTHERS PRESENT: Kate Wanner, Patrice Maloney, Mike Moran, Perry Farr, Neil Farr, David Lee, Nicole Bonnaudea, Steve Hackett, Ben Norris, Fran Stoddard, Jason Starr (Williston Observer), Scott Moody (Channel 17).

[Note: Minutes reflect the order of the published agenda.]

1. Call to Order

Selectboard Chair, Terry Macaig, called the meeting to order at 7 PM.

2. Minutes

April 17, 2018

MOTION by Joy Limoge, SECOND by Ted Kenney, to approve the minutes of April 17, 2018 with the following correction(s)/clarification(s):

- **Page 2, Catamount License Agreement, 1st paragraph, sentence beginning “Theresa Zittritsch...” – rewrite the sentence to read: “Theresa Zittritsch mentioned the town staff have been negotiating an exclusive license agreement with the Catamount Outdoor Family Center for the town forest property for almost a year without seeking any input or approval from the Selectboard. Theresa Zittritsch also mentioned that the committee set up to make recommendations for the town forest property has yet to make those recommendations.”, and in the 2nd paragraph – add Theresa Zittritsch to the Selectboard members receiving feedback from town residents.**

VOTING: unanimous (5-0); motion carried.

3. Public Comment – General Issues

None.

4. Interviews/Appointments

First Constable

The Selectboard interviewed Fran Stoddard and Mike Moran for the position of First Constable. Both candidates expressed interest in bringing their skills and experience to the position and serving the town.

MOTION by Joy Limoge, SECOND by Ted Kenney, to appoint Mike Moran as First Constable for a one year term through March 4, 2019.

DISCUSSION:

- **Comment was made that either candidate could do the job. Individuals not appointed are encouraged to continue to apply for open positions on town boards and committees.**

VOTING: unanimous (5-0); motion carried.

5. First Class Liquor License Request

Neil and Perry Farr explained the request for a liquor license and outdoor consumption permit to serve wine and beer at their business, Scale Poke Bar, in the Kismet Building in Blair Park. There are eight seats inside the building and picnic tables outside. The business offers mostly takeout meals. Staff will be DLC certified and trained to serve the beverages to patrons.

Ken Belliveau, Director of Planning & Zoning, urged the applicant to discuss the proposed food and beverage service with the Planning & Zoning Office to ensure the proposal meets the approved site plan for the building.

MOTION by Theresa Zittritsch, SECOND by Ted Kenney, to table action on the liquor license request by Neil and Perry Farr for Scale Poke Bar pending further information. VOTING: unanimous (5-0); motion carried.

6. Investment Policy Amendment and Quarterly Report

Deb Beckett, Town Treasurer, reviewed edits to the town investment policy to better reflect current practice and gave an update on the town's investment in CDs and other low risk investment tools.

MOTION by Joy Limoge, SECOND by Ted Kenney, to accept the amendments to the town investment policy as presented. VOTING: unanimous (5-0); motion carried.

7. Public Hearing: Proposed Bylaw Amendments

The public hearing was opened at 7:50 PM and the warning was read. Ken Belliveau stated most of the amendments are minor (correction of typographical errors and such). More substantive changes include the bylaw on keeping of livestock or female poultry, accessory sales for food and beverage manufacturers, and adaptive re-use of historic barns.

COMMENTS

There were comments in support of the bylaw allowing accessory sale of food and beverages which will benefit the craft beer manufacturers in town. There were comments in support of adaptive re-use of barns in general and not necessarily limiting the bylaw to historic barns.

Theresa Zittritsch asked about the narrowness of the re-use allowance for historic barns and limiting the ability of all barn owners to hold events in order to generate some extra income. Ken Belliveau explained the focus of uses in the Ag/Rural District is agriculture and other than the adaptive re-use provision for historic barns an event facility would not be allowed. Also, the DRB wanted the bylaw to avoid being in the position of debate with historic preservationists. The bylaw attempts to synch the town's regulations with state and federal regulations with regard to historic preservation. The DRB receives recommendations from the Historic Architectural Advisory Committee. The bylaw was intended to prevent someone from buying acreage and building an event facility in the Ag/Rural District.

Jeff Fehrs questioned if it is too onerous to achieve state or federal historic barn designation, adding a new barn could be built with appropriate architectural detail and characterization to give the appearance of an historic barn.

Erik Wells mentioned the poultry ordinance as now written would allow ducks and turkeys as well as chickens.

MOTION by Ted Kenney, SECOND by Joy Limoge, to close the public hearing on the proposed bylaw amendments. VOTING: unanimous (5-0); motion carried.

The public hearing was closed at 7:59 PM.

8. Bylaw Amendments

MOTION by Joy Limoge, SECOND by Ted Kenney, to adopt the amendments to the Unified Development Bylaws as presented excluding Section 20.10.2.1 through Section 20.10.2.4 (livestock). VOTING: unanimous (5-0); motion carried.

9. Keeping of Chickens Regulation

Erik Wells reviewed the changes incorporated into the Keeping of Chickens regulation as discussed. Staff will find out if South Burlington has any issues with implementation of their ordinance. Further research will be done on the state regulation of storage of manure. Staff will provide more information on the number of containers for composting for the third reading of the regulation. There was discussion of the permit fees for the keeping of chickens.

10. Public Hearing: Sewer Allocation Ordinance Amendment (Attachment A)

The public hearing was opened at 8:15 PM and the warning was read. Ken Belliveau said Attachment A is the schedule of available sewer allocation. There were no other comments.

MOTION by Ted Kenney, SECOND by Joy Limoge, to close the public hearing on the Sewer Allocation Ordinance Amendment (Attachment A). VOTING: unanimous (5-0); motion carried.

The public hearing was closed at 8:17 PM.

11. Sewer Allocation Ordinance Amendment (Attachment A)

MOTION by Joy Limoge, SECOND by Ted Kenney, to adopt the amendment to the Sewer Allocation Ordinance (Attachment A) as presented.

DISCUSSION:

- **Jeff Fehrs said he continues to have an issue with how Attachment A deals with the “Encourage Specific Development” category.**

VOTING: 4 ayes, one nay (Jeff Fehrs); motion carried.

12. Catamount License Agreement

Theresa Zittritsch suggested the Selectboard agree on policies that should be reflected in the license agreement so the committee has clear direction. Changes to the agreement that were discussed by the Selectboard at previous meetings are not reflected in the agreement. The Selectboard should go through each statement to see where there is agreement or disagreement, and draft policies to be reflected in the license agreement. The agreement as now written is giving exclusive lease of the entire property, not just the trail system, to someone else and not the town. Following further discussion there was agreement to schedule a special meeting on May 22, 2018 to review the documents. Theresa Zittritsch will submit her comments for review by the Selectboard.

13. Town Manager’s Report

Rick McGuire reported:

- The quarterly report was included with the meeting materials.
- Two people have been hired in the Police Department and are waiting to go to the academy. An administrative assistant was also hired.
- CSWD budget presentation will be on the Selectboard agenda in June.
- Advertisement for the alternate position on the DRB will be done. Interviews will be held at the next Selectboard meeting.

14. Other Business

- Jeff Fehrs mentioned an expenditure for work on the Brennan barn. Rick McGuire said minor repairs were done. The Selectboard should discuss the future of the barn at some point.

15. Executive Session

MOTION by Joy Limoge, SECOND by Ted Kenney, under the provisions of 1 VSA § 313 to enter Executive Session to discuss legal strategies concerning the appeal filed by Mr. DeVita of a DRB decision where premature public knowledge would place the town at a substantial disadvantage, and to invite the Rick McGuire, Erik Wells, Matt Boulanger (added by friendly amendment) and Ken Belliveau to attend.
VOTING: unanimous (5-0); motion carried.

Executive Session was convened at 9:28 PM and adjourned at 9:58 PM.

16. Adjournment

With no further business and without objection the meeting was adjourned at 9:58 PM.

RScty: M.E.Riordan