



Town of Bolton  
3045 Theodore Roosevelt Highway  
Bolton VT 05676  
Select Board Remote Meeting Minutes  
October 19, 2020

Board members present remotely: Tony Barbagallo, Mica Cassara, Lynda DesLauriers, Wendy Hoffman, Janet Metz (7:03 p.m.)

Board members absent: none

Also present remotely: Lindsay DesLauriers, David Mullet, Regina Mahony, Sai Sarepelli, Paula Gervia, Steve McLeod, Sharon Murray, Bob Fett, Vicki Congdon, Amy Ludwin, Tom Longstreth, Andrew Sepic, Kaelyn Modrak

Clerk remote: Amy Grover

1. **The meeting was called to order at 6:02 p.m. by the Chair, Mica Cassara with a quorum of 4 members present.**

2. **Additions or Deletions to the Agenda:**

➤ Addition:

- Request by Lindsay DesLauriers to schedule a special meeting for approval of CDBG documents. Brief discussion on financial hardship for BVR, LLC by waiting for the 11/9/20 BSB meeting, the process, and verifying that the document language reflects the mortgage deed is only for the hotel, not the whole property. Lynda DesLauriers made the motion *“to schedule a special Select Board meeting for Monday, October 25, 2020 at 5 p.m.”* Wendy Hoffman seconded. There was no further discussion. All were in favor and the motion passed (4-0). Lindsay DesLauriers noted her appreciation and invited the BSB to come for a hotel tour at a later date.

Deletions: none.

3. **Public Comment:** none.

4. **Recurring Business:**

- Minutes October 5 & October 8, 2020: Wendy Hoffman made the motion *“to approve the minutes of October 5 and October 8, 2020 as presented.”* Lynda DesLauriers seconded. There was no further discussion. All were in favor and the motion passed (4-0).
- Warrants; Reviewed for signature by Mica Cassara.
- Financial Reports: Q1 Expenses and Revenue dispersed. Brief discussion on over budget Highway Department line items.

5. **Communications:** none.

6. **Appointments:**

1. 6:30 p.m. – Lindsay DesLauriers – Preferred Solar Siting route 2; Review of Impact of Changes to Original Plan Presented to the BSB. Lindsay DesLauriers and David Mullet noted that:
  - The original project costs resulted in a reduction in the scale of the project from 500 Kw to 50 Kw, the use of solar trackers, and a change in developers to All Earth Renewables. Floodplain areas will be addressed.
  - Due to the changes, the “ask” is a new letter of support for a preferred site designation (letter previously submitted for original project).
  - The letter of support is not a final sign off on the project and is a key component to its economic viability.

- The Bolton Energy Committee reviewed the project changes and have submitted letters of support for the preferred site designation.

Tony Barbagallo made the motion “to approve a signed letter of support for the preferred solar site designation as requested.” Wendy Hoffman seconded. There was no further discussion. All were in favor and the motion passed (4-0).

2. 7:00 p.m. – Community Input and Discussion RE: August 2020 Traffic Ordinance Amendments; Approval of Additional Amendments TBD. Please note comments are a compilation and not a direct transcription.

- Amy Grover noted that meeting notice was posted on Front Porch Forum, Facebook, the Gazette, and the town website and that of 143 first class letters with notice and requesting input sent to residents of Notch, Stage, and Duxbury Roads, and Boulder Wood Lane, there were 8 replies.
- Mica Cassara noted that per Amy Ludwin, there were three requests that he recuse himself from voting on Traffic Ordinance Amendments, and that he would do so, noting however that as a resident he had a right to provide feedback.

#### **Duxbury Road:**

- Sharon Murray and Bob Fett noted:
  - They support the clearly needed no parking areas by the pedestrian bridge.
  - Cars parked illegally in the traveled portion of the road near “their end” of Duxbury Road would have been addressed in the previous ordinance.
  - They are requesting that the no parking area near their and the Hayes’ properties be removed, or be amended to shorten the no parking zone to the Long Trail parking lot in order to retain parking for residents and Long Trail access in an old bus turn around and on wider shoulders in that area.
- BSB noted their thanks for the parking use clarification and consensus that shortening the no parking zone would be a reasonable and rationalized amendment. Amy Grover to obtain mileage mark of Long Trail parking lot for Monday, October 26<sup>th</sup> meeting.

#### **Stage Road:**

- Mica Cassara noted:
  - He had been a Stage Road resident for 40 years, and provided a review of the road layout, curves, lack of site distance, high traffic and parking volume, safety issues and concerns, photos of parked cars impeding traffic.
  - He also noted the traditional uses outlined in the PPCA conservation easement and questioned the process/town discussion opportunity that allowed for the hiking trails and expansion of the trails.
    - Tom Longstreth stated he was on the CC when the land was purchased, hiking trails were a part of that conversation.
- Kaelyn Modrak noted:
  - Questioned the process now when cars do not adhere to no parking signage.
    - Group review of Traffic Ordinance and towing process.
  - Her concern of pushing the parking issues to Notch Road.
    - Tony Barbagallo noted there were issues with parking on Notch Road, it was dangerous, resident complaints were received, and at some point, the BSB will need to address parking on Notch Road.
    - Amy Ludwin stated her concern with the congestion on Notch Road, with 60 cars parking there last year, and that the PPCA was taken out of a GMC listing of places to hike.
- Amy Ludwin noted:

- The CC's proposal (included with these minutes along with all community input received) for Stage Road parking provided a balanced view, with parking zones to protect and support access, and noted that parking issues were very seasonal.
  - Vicky Congdon noted that from her perspective the perception that use is seasonal during foliage is outdated as there is a large increase in both weekend and daily usage. Also noted: the recreational use of the Winooski River in the Jonesville area, the lack of obeying signage, and the Town of Richmond's enforcement strategies using posts and strings to limit illegal parking.
  - Mica Cassara noted increased usage, not seasonal, including blocked driveways and mailboxes, vehicles parked in residents' driveways, and the town truck not being able to get through when vehicles were parked on both sides of the road.
- Tom Longstreth noted:
  - The situation is being overblown, that he could mow to allow parking on the east side of the road, and that when cars are parked on both sides of the road it has a traffic calming effect – people realize they need to slow down.
    - Wendy Hoffman noted the comment about traffic calming was not necessarily true.
    - Mica Cassara noted he did not agree with the comment about traffic calming, that cars do not slow down, and that there is no way to have a vehicle park completely off the traveled portion of the road without going into a ditch.
    - Vicky Congdon noted that she did not want to be the ordinance enforcer, and questioned enforcement and that process.
- Andrew Sepic noted:
  - His land abuts the PPCA, he uses the trails daily, hikers cross their property when exiting the PPCA when confused, and that there is more demand for use than parking allows.
  - There is value in the trails, and he is honored that people want to share in that; the town should cater to people who want to come to Bolton and explore trails.
  - The addition of a parking lot on town owned land and allowing for parking on one side of the road was a good solution to increase the parking, and address safety. People would obey parking on one side.
  - With no parking on either side, the town is asking people to be negligent by not allowing parking.
    - Kaelyn Modrak noted she agreed with Mr. Sepic's views, worded well. To embrace people coming in a safe way, that Richmond also created a parking lot for the recreational river access, she fully supports the CC's proposal, and that the BSB needed to work in partnership with the CC, with her thanks for serving the town.
- Wendy Hoffman noted:
  - The town was not looking for towing companies to patrol parking issue areas, it would be incumbent upon residents to notify town officials of parking issues, and that the BSB was reacting to a safety issue. Safety comes first, and safety does need to be taken into consideration. The requests are to back off on an ordinance that was intended to keep people safe. The town is not trying to discourage use and public access to cherished lands and does not want anyone hurt or killed.
    - Amy Ludwin noted the parking area could be made larger, and as far as safety, residents did not see that in the same light.
    - Brief group discussion on the need for permits from the town. Amy Ludwin noted she would not move a permitting process forward without BSB approval to do so.
    - Mica Cassara questioned the town's liability with allowing parking on one side or the other. Amy Grover to follow up with insurance carrier.

- Wendy Hoffman noted she supports the idea of permitting an access area and has an issue with condoning parking in traveled portion of the road,
    - Tony Barbagallo noted creation of a parking lot is a separate issue, and that the edges of Stage Road could be pushed back to allow for parking.
  - Amy Ludwin stated that:
    - Parking is only an issue 7-8 days a year.
      - Wendy Hoffman inquired if Amy Ludwin lived in the area to see the parking issues daily, that she was hearing two conflicting stories on parking.
      - Mica Cassara stated that Amy Ludwin does not live in the area, that his personal opinion was he does not want to live near a parking lot, that cars were parked there every day this summer, many more days than 7 days, and more than 6 cars, and that on the Notch Road, parking does not impact houses and residents.
  - Tom Longstreth stated that:
    - The town was blowing this up, he disagrees with the ordinance, the town went too far with a ban on two sides of the road, and he would like the ordinance backed down to one side only, the east side being the most logical. People could be educated with polite notes on their windshield about parking, there is no cell service in the area for folks to call if their vehicle is towed. He supports a parking lot, and to keep the land open to the public.
      - Mica Cassara stated the BSB is not suggesting not keeping the land open to the public, and the current ordinance states there is no parking on any traveled portion of any road.
      - Wendy Hoffman noted the two solutions appeared to be creation of a parking lot and parking on one side, still in the traveled portion of the road.
      - Tom Longstreth stated the proposal is not to allow parking on the traveled portion, cars must pull fully off the road, that it was not a safety worry, most people can pull off the road.
      - Mica Cassara stated that the point again, in that area, cars cannot pull full off the road without being in the drainage ditch, there is not sufficient room.
      - Steve McLeod stated vehicles could park on a smaller portion of the traveled portion of the road.
      - Wendy Hoffman asked for clarification: cars parked on or off the traveled portion of the road.
      - Mica Cassara stated the ask was for an exemption to that rule.
      - Amy Grover noted that exemption could be an issue with town insurance.
      - Mica Cassara stated the Highway Superintendent should determine the traveled portion of the road.
      - Tony Barbagallo stated the recommendation is not allowing parking in the traveled portion of the road.
      - Wendy Hoffman noted that towing could be dispatched for cars parked in the traveled portion of the road.
      - Amy Ludwin stated there needed to be consistent application of towing enforcement.
      - Brief discussion on previous asks if Notch Road parking was an issue, and it was noted that it had been previously stated to the BSB Chair that it was not. Attendees stated parking was an issue, and that no one was seeking amendment to the ordinance on Notch Road at this time.
  - Amy Grover questioned the Streeter family's support of a parking lot.
    - Tom Longstreth stated the Streeters supported a parking lot.

- Tony Barbagallo stated that:
  - He supported the CC’s recommendations; they had done a great job and expressed his thanks.
    - Steve McLeod stated the CC was trying to strike middle ground and if the BSB did not like the CC proposal, they needed to provide another in reasonably good faith to provide public access.
  - He looks forward to installing parking meters (laughter).
- Brief BSB group discussion to allow time for the processing of information, gathering of mileage numbers, and to address any further amendments at the October 26<sup>th</sup> meeting.
  - Amy Ludwin requested that Mica Cassara recuse himself and not vote.
  - Mica Cassara stated he had already addressed that at the start of the meeting but felt as a property owner he had a right to an opinion like everyone else.
  - Kaelyn Modrak noted her appreciation for the civic engagement.
  - Wendy Hoffman thanked everyone for their input and noted the BSB wished they had the input earlier in the process.

7. **Business & Action Items:**

- FEMA DR4474 Updates:
  - Cost projections have increased to \$400,775 from approximately \$300K. Noted by FEMA that the town approved (Mica Cassara & Tyler Billingsley, East Engineering) the \$400K Project Cost Sheet and Keli O’Brien, FEMA PDM, has “sent the approval to the mitigation team and the project will be moving along in the CRC.”
  - Amy Grover has contacted Community Bank for information regarding a bridge loan to span the time between expenses paid and reimbursement from FEMA. Noted – any “borrowing” from the Reserve Fund would be required to be paid back in the same Fiscal Year, which would probably not be attainable given the timing of FEMA payments.
  - The Highway Department is moving ahead with emergency Category B measures for safety (extension of culvert, large stone fill, signage, jersey barriers) until permanent repairs are made.
- FEMA 64 Boulder Wood Lane Buyout:
  - Create Fund: Lynda DesLauriers made the motion “to create a separate fund for FEMA expenses and revenue for the buyout of 64 Boulder Wood Lane.” Wendy Hoffman seconded. There was no further discussion. All were in favor and the motion passed (4-0).
  - Review/Approve FEMA Homeowner Reimbursement Agreement: Discussion on state commercial code, contract law, breach of contract, that potential impact to the homeowners, and their understanding of that breach. Consensus (and appreciation) for Wendy Hoffman to review the VT code the contract is based upon, for the town to follow up with the homeowners to gauge their understanding of the contract, if they are amendable to signing, and/or if they feel they need their own legal review by an unbiased party to give them a clear picture of consequences if breached. Approval tabled.
- IMT Mower Insurance Update: Town cannot remove just the liability portion of the insurance. Damage is covered under the auto insurance, not property insurance. Full coverage has to remain in effect. Brief discussion of sale process.

8. **Adjournment:** Wendy Hoffman made the motion “to adjourn the meeting.” Lynda DesLauriers seconded. There was no further discussion. All were in favor and the motion passed (5-0) at 8:44 p.m.

Attest: Amy Grover, Clerk

*Minutes are unofficial until approved. These minutes were read and approved by the Bolton Select Board on November 9, 2020*