

**Town of Pomfret**  
 5218 Pomfret Road  
 North Pomfret, VT 05053  
 Agenda for August 3, 2016 Regular Selectboard Meeting  
**7:00pm** at the Pomfret Town Offices

Agenda Item	Presenting Individual	Timeframe
1. Call to Order	Chair	7:00pm-
2. Executive Session a) Zoning Attorney Discussion	Chair	7:00-7:20pm
3. Public Comment	Chair	7:20-7:25pm
4. Review of Agenda	Chair	7:25-7:30pm
5. Consideration of Appointment of New Selectboard Member	Chair	7:30-7:35pm
6. Recurring Items, Including Items for Possible Vote: a) Review, discussion, and approval of minutes: 7/20 b) Treasurer's Report i. Warrants for Payment (1) Accounts Payable (2) Payroll c) Road Foreman's Report i. General Update ii. River Road/Better Roads Culvert	Chair  Treasurer  Road Foreman	7:35-7:40pm  7:40-7:50pm  7:50-8:05pm
7. Business Items for Possible Vote: a) Salt Purchase Decision b) 3862 Pomfret Road Hazard Mitigation c) Road Safety Audit d) Excess Fund Balance Discussion e) USDA Invitation to Comment Letter f) Emergency Access to Town Offices	Chair	8:05-8:45pm
8. Business Items for Discussion a) Selectboard correspondence: b) Next meeting's agenda:	Chair	8:45-8:50pm
9. Closing Public Comments, Review of Assignments, and Adjournment	Chair	8:50-8:55pm

## 3862 Road Hazard Mitigation Plan

29 July 2016

### Background:

In the vicinity of 3862 Pomfret Road there has been a long history of water flowing across the road during the winter and early spring periods of the year. This water tends to freeze creating icy conditions that require the road crew's extra attention. More importantly it is a driving safety hazard and is a place of perpetual pothole repairs. With the prospect of new pavement being placed there this summer the SB decided to address this problem and asked the road foreman to come up with a solution in concert with the land owners.

### Solution:

Because of the severity of the slope of the lawn at this location any attempt at creating a ditch merely exacerbates the steepness thus creates a slope that is not conducive for lawn grasses and is not safe for mowing. A solution is to place materials to form a retaining wall to hold back the lawn cut and provide room for a proper seep ditch. The following is a rough cost estimate of what it would cost the town to create a basic functional system using waste blocks to eliminate the water/icing problem at this location.

34 – waste blocks (6 ft x3 ft x 1.5 ft)	\$3000
60 cu yds of 1 ½ inch ditch stone	\$1200
28 cu yds of back fill stone	\$600
150 ft - drainage pipe	\$150
150 ft – filter fabric	\$150
4 days – road crew labor	\$2500
Total cost of project to town	<u>\$7600</u>

Due to concerns over the aesthetics of a waste block wall in front of the house at this location, the homeowners have offered to bear the cost of having a stone mason build a stone wall in lieu of blocks. Using this option, it is proposed that the town would provide the materials listed below. Some of the stone at the town garage will be used for wall stone and backfill. The road crew would build a stone lined seep ditch and landscape the lawn back to the stone wall as the final step.

Some of the stone at town garage	
60 cu yds of 1 ½ inch ditch stone	\$1200
14 cu yds of back fill stone	\$300 (reduced from above)
150 ft - drainage pipe	\$150
150 ft – filter fabric	\$150
2 days – road crew labor	\$1200
Total cost of project to town	<u>\$3000</u>

The landowner's stone mason has estimated that it will cost \$10716 for his labor to lay their wall. He also has estimated that due to the poor quality of the stone at the town garage and the question of useable quantities, has proposed that more wall materials need to be purchased. His estimate is \$4734 for wall stone which includes tax and trucking to Pomfret. Since the cost to the landowner is potentially going to be \$15450, they are asking that the town purchase \$3000 worth of wall stone from Quimby Mountain quarry (in Sharon, VT). This amount matches the estimated cost of waste block found in the functional system estimate.

Conclusion:

While this project may have the appearance of setting a negative precedent, let's examine the facts. First, the town approached the landowners about this solution to a problem, not the other way around. Second, this could be a perfect example of a cooperative effort between the Selectboard and a Pomfret resident.

It is widely recognized that this section of road has been fraught with ice problems which makes the road a hazard not only for travelers but also for the road crew that has to deal with this situation. Other problems in this area have been the perpetual need to repair ongoing trouble with potholes which are created by water problems. Not only will the seep ditch prevent surface water migrating onto the road, but potentially it will drain subsurface water that is the real enemy to roadways.

**Town of Pomfret  
5218 Pomfret Road  
North Pomfret, VT 05053**

Draft Minutes of the July 20, 2016 Regular Selectboard Meeting

Present: Michael Reese (Selectboard Member), Sheila Hopkins (Selectboard Member), Frank Perron (Selectboard Member), Melanie Williams, (Selectboard Member), Art Lewin, Sr. (Road Foreman), Karen Hewitt (Collector of Delinquent Taxes), Jonathan Williams (Assistant to the Selectboard), Emily Grube, Sherman Kent, Orson St. John, and Sue Buckholz,

1. Call to Order: Michael Reese called the meeting to order at 7:12pm.
2. Public Comment: (audio 0:37) None.
3. Review of Agenda: (audio 0:50) Michael Reese moved, and Sheila Hopkins seconded, to approve the agenda as written. The Board unanimously approved the motion.
4. Consideration of Appointment of New Selectboard Member: (audio 1:25) Michael Reese briefed the Board on this item, and there was discussion. No new nominations were provided.
5. Review, Discussion, and Approval of Minutes (7/6, 7/12): (audio 2:10) Sheila Hopkins moved, and Frank Perron seconded, to approve the 7/6/16 and 7/12/16 minutes. The Board unanimously approved the motion.
6. Treasurer's Report: (audio 2:25)
  - (a) Warrants for Payment (1) Accounts Payable (2) Payroll: Frank Perron moved, and Sheila Hopkins seconded, to approve the warrants (#16006, #16005) as read. There was discussion, and the Board unanimously approved the motion.
7. Delinquent Tax Collector's Report: (audio 5:11) Karen Hewitt briefed the Board on delinquent tax collection efforts, and there was discussion.
8. Road Foreman's Report: (audio 7:32)
  - (a) General Update: The Road Foreman briefed the board on town wide roadside mowing efforts, and efforts to train the new employee on roadside mowing. A culvert has had a header affixed to it. All Guardrails slated to have been replaced have been replaced. Road crew employees attended a flagging course this past week. The batteries were replaced on the grader as one of them blew out - \$800 bill. The Road foreman briefed the Board on a request from a taxpayer, concerning the purchase of chloride from the town, and there was discussion. There were questions from the Board concerning erosion/problem

spots on town roads.

- (b) Caper Street Intersection: (audio 15:32) The Assistant to the Selectboard briefed the Board on this issue and the TRORC request to VTrans made on behalf of the town for a road safety audit. There was discussion by the Selectboard and the public.
  - (c) Speed Limit Petition: (audio 23:45) Michael Reese and the Road Foreman briefed the Board on this item, and there was discussion by the Selectboard. The Selectboard agreed to have Melanie Williams respond to the petitioners.
  - (d) Transportation Grants (Ongoing, Upcoming): (audio 28:45) The Assistant to the Selectboard and the Road Foreman briefed the Board on this item, and there was discussion by the Board.
  - (e) Guardrails: Caper Street & Below Sugarhouse Road: (audio 35:36) Michael Reese briefed the Board on this item and there was discussion by the Selectboard and the Road Foreman. Board members agreed to hold off on any decisions at this time relating to the hazardous intersections, speed limit changes, and guardrails, hoping the road safety audit will offer guidance.
9. Fire Services Study Update: (audio 46:00) Michael Reese and Melanie Williams briefed the Board on this issue, and a conference call was conducted with Mr. John Wood regarding the services he can provide, the process, clarification of billing and payment, and other items related to the study.
10. Pomfret Slope Project: (audio 1:10:30) The assistant to the Selectboard briefed the Board on this issue and there was discussion. Sheila Hopkins moved, and Frank Perron seconded, to approve VTrans Addendum 1 dated 7/14/16 for the D4-FAS 0166-60 project commonly known as the 'Pomfret Slope Project' noting that the question period ends at 3pm July 27, 2016, and that sealed bids shall be accepted until 6pm prevailing time August 3<sup>rd</sup>, 2016 at the Pomfret town offices. The Board unanimously approved the motion.
11. Salt Purchase/Bids: (audio 1:20:30) Michael Reese briefed the Board on this item and the bids were opened and read aloud. Morton Salt: \$88.48 per ton, 20-ton minimum per dump truck delivery. Apalachee Salt: \$83 per ton, 32-ton minimum order. Cargill: \$78.54 per ton, 25-ton minimum per dump truck delivery. American Rock Salt: \$76.79 per ton, 22-ton minimum per dump truck delivery. There was discussion by the Selectboard and the Road Foreman. No decision was made at this time. The Board plans to consider the bids at its August 3<sup>rd</sup> meeting.
12. Planning Commission and Zoning Board of Adjustment Appointments: (audio 1:29:27) Michael Reese briefed the Board on this item and there was discussion. Michael Reese moved, and Frank Perron seconded, to reappoint William 'Bill' Emmons for another 4-year term to the Planning Commission. The Board unanimously approved the motion. Michael Reese moved, and Sheila Hopkins seconded, to reappoint Shaun Pickett to the Zoning Board of Adjustment for a three-year term. The Board unanimously approved the motion.

13. Motion for Stay by Chippers: (audio 1:35:00) Michael Reese briefed this Board on this item and there was discussion by the Selectboard and the public. Sheila Hopkins moved, and Frank Perron seconded, to authorize Michael Reese to contact a lawyer - the same lawyer used in a prior case - to have them define the town's role regarding defending the ordinance in an environmental court. The Board unanimously approved the motion.
14. Sheriff's Contract Update: (audio 1:49:30) Melanie Williams briefed the Board on this item, and there was discussion. The contract has been signed and the services have continued.
15. Road Commissioner Position: (audio 1:50:27) Melanie Williams briefed the Board on this item. It is currently an unfilled position. There was discussion by the Selectboard and the Road Foreman.
16. State Representative Candidate Sue Buckholz: (audio 1:53:20) Michael Reese briefed the Board on this item, and State Representative Candidate Sue Buckholz introduced herself and spoke to the Board and the public, and there was discussion.
17. Sheila Hopkins moved, and Melanie Williams seconded, to modify the agenda to include the '3862 Pomfret Road Hazard Mitigation' item, including a possible vote. The Board unanimously approved the motion.
18. 3862 Pomfret Road Hazard Mitigation: (audio 2:06:57) Frank Perron briefed the Board on this item, and there was discussion by the Selectboard and the Road Foreman. No action was taken at this time.
19. Selectboard Correspondence: None.
20. Next Meeting's Agenda: '3862 Pomfret Road Hazard Mitigation', 'Opening of Bids for the Pomfret Slope Project', 'Chippers Case' and 'Salt Purchase Decision' were items placed on the agenda for the next Regular Selectboard meeting.
21. Closing Public Comments, Review of Assignments, & Adjournment: Melanie Williams moved, and Sheila Hopkins seconded, to adjourn the meeting at 9:49pm. The Board unanimously approved the motion.

Date: 07/21/2016

Respectfully Submitted,

Jonathan Williams, Assistant

Approved by the Board at \_\_\_\_\_ Meeting



United States  
Department of  
Agriculture

Forest  
Service

Green Mountain and Finger Lakes  
National Forests  
Rochester Ranger District

99 Ranger Road  
Rochester, VT 05767  
802-767-4261  
FAX: 802-767-4777

**File Code:** 1950; 2720  
**Date:** July 15, 2016

## Invitation to Comment – Please Reply by July 29, 2016 Vermont Adaptive Ski & Sports Priority Special Use Permit Project

Dear Interested Parties:

The USDA Forest Service is initiating an environmental analysis process for the proposed Vermont Adaptive Ski & Sports Priority Special Use Permit Project pursuant to the National Environmental Policy Act (NEPA). I am writing to seek your comments for the project proposal that consists of issuing a 5 year Recreation Event permit to Vermont Adaptive Ski & Sports for the purpose of conducting an annual Endurance run/horseback ride. The course crosses the National Forest in the Rochester Ranger District, Green Mountain National Forest (GMNF) in the Town of Pomfret, Windsor County, Vermont (refer to the attached map).

Refer to the attached project information document for details regarding the proposed action.

This proposed action potentially falls in a category of actions excluded from analysis in an Environmental Assessment or Environmental Impact Statement, as proposals of this type individually and cumulatively do not have a significant effect on the environment. This proposal appears to fall under category 36 CFR 220.6 (e)(15): *“Issuance of a new special use authorization for a new term to replace an existing or expired special use authorization when the only changes are administrative, there are not changes to the authorized facilities or increases in the scope or intensity of authorized activities, and the applicant or holder is in full compliance with the terms and conditions of the special use authorization.”*

I am interested to hear any concerns, issues or suggestions you may have regarding the proposed action. Please provide your comments to us by July 29, 2016.

In your comments, please include the following information:

1. Your name, address and telephone number or email address.
2. The project you are commenting on: Vermont Adaptive Ski & Sports Priority Special Use Permit Project
3. Site specific comments about the proposal along with supporting information and rationale you believe will help identify issues that need to be addressed.
4. Concerns about environmental effects associated with the proposal.

Submit your written comments in c/o Jen Edmonds using any of the following methods:

- ✓ Mail (verbal comments can also be given in person)  
USDA Forest Service - Rochester Ranger District  
99 Ranger Rd.  
Rochester VT 05767



- ✓ Email  
[comments-eastern-green-mt-finger-lakes-rochester@fs.fed.us](mailto:comments-eastern-green-mt-finger-lakes-rochester@fs.fed.us)
- ✓ Phone  
(802) 767-4261 x 529
- ✓ Facsimile  
(802) 767-4777

Comments received in response to this invitation, including name and address of those who comment, will be considered part of the public record for this project and will be available for public review.

Additional information regarding the proposal can be obtained from: Jen Edmonds, Rochester Ranger District, 99 Ranger Rd., Rochester VT 05767, (802) 767-4261 ext. 529 or email at [jedmonds@fs.fed.us](mailto:jedmonds@fs.fed.us).

Thank you for your interest in the Green Mountain National Forest. I look forward to hearing from you.



CHRISTOPHER MATTRICK  
District Ranger

**PROJECT INFORMATION**  
**Vermont Adaptive Ski and Sports Priority Special Use Permit Project**

The USDA Forest Service is proposing to issue a 5 year Recreation Event permit to Vermont Adaptive Ski and Sports for the purpose of conducting an annual Endurance run/horseback ride, known as VT100. The course crosses the National Forest for 0.35 miles in the Rochester Ranger District, Green Mountain National Forest (GMNF) in the Town of Pomfret, Windsor County, Vermont (refer to the attached map).

**BACKGROUND**

The VT100 is one of Vermont Adaptive Ski and Sports (VASS) biggest fund raisers every year. VASS is a non-profit organization dedicated to providing recreational and competitive sports opportunities to people with disabilities.

VT100 follows a 100 mile course, and enters the Green Mountain National Forest following existing Forest Trail 808 for 0.35 miles in the Town of Pomfret, crossing the Appalachian Trail. This use has occurred at this location under an annual special use permit since 1994, and there have been no adverse effects reported.

**PURPOSE AND NEED**

Permittees, such as VASS, who are in good standing, and have regular use on National Forest Lands are eligible for long-term permits (5 years for Recreation Events). Long-term permits provide stability for small businesses, and reduce the administrative workload for both the permittee and the Forest Service staff.

**PROPOSED ACTION**

The proposed action is to issue a 5 year Recreation Event permit to Vermont Adaptive Ski and Sports. This permit would allow an annual Endurance Ride and Run in July. The permit would allow up to 300 runners and 35 horseback riders to cross the Appalachian Trail corridor on Forest Trail 808 for 0.35 miles. (See attached map).

**FOREST PLAN CONSISTENCY**

The Vermont Adaptive Ski & Sports Priority Special Use Permit Project was designed to be consistent with the goals, objectives, and Forest-wide and Management Area (MA) Standards and Guidelines as provided in the GMNF Land and Resource Management Plan (Forest Plan). The trail proposed for use during this event is within the Appalachian National Scenic Trail Management Area (MA) (Forest Plan, pp. 66-72). The proposed action crosses the Appalachian Trail, but does not follow it, and so is consistent with Forest Plan Standards and Guidelines.

**ENVIRONMENTAL ANALYSIS**

This proposed action potentially falls in a category of actions excluded from analysis in an Environmental Assessment or Environmental Impact Statement, as proposals of this type individually and cumulatively do not have a significant effect on the human environment. This proposal appears to fall under category 36 CFR 220.6(e)(15):

*"Issuance of a new special use authorization for a new term to replace an existing or expired special use authorization when the only changes are administrative, there are not changes to the authorized facilities or increases in the scope or intensity of authorized activities, and the applicant or holder is in full compliance with the terms and conditions of the special use authorization."*

The environmental effects from the proposed action will be analyzed following National Environmental Policy Act (NEPA) regulations and guidance. The environmental analysis will identify any extraordinary circumstances that may exist and could result in significant effects to the environment. At a minimum, the following specific resource conditions will be considered in accordance with 36 CFR 220.6(b):

1. Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Regional Forester's sensitive species
2. Floodplains, wetlands, or municipal watersheds
3. Congressionally designated areas (Wilderness or National Recreation Areas)
4. Inventoried Roadless Areas
5. Research Natural Areas
6. American Indians and Alaska Native Religious or Cultural Sites
7. Archaeological Sites, or Historic Properties or Areas

Other resources anticipated to be included in the environmental analysis include soil, water quality and aquatic habitat.

### **PUBLIC INVOLVEMENT**

Public comments received for the project proposal will help focus the environmental analysis on the resource issues of concern. The analysis will be the basis for the final decision.

### **DECISIONS TO BE MADE**

After conducting and reviewing the environmental analysis, including public involvement and interdisciplinary resource specialist input, the Responsible Official will make the following decisions:

1. Whether the proposed project will proceed as proposed, as modified to address issues, or not at all;
2. What specific resource protection or mitigation measures should be implemented as part of the project;
3. Whether the project would have environmental impacts at levels that may require an EA or EIS; and
4. What monitoring requirements should be applied to the project.

### **RESPONSIBLE OFFICIAL**

Christopher Mattrick, the District Ranger for the Rochester and Middlebury Ranger Districts on Green Mountain National Forest, is the Responsible Official for the decision on this proposal.

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*Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.*

*To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).*

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# Vermont Adaptive Ski & Sports



